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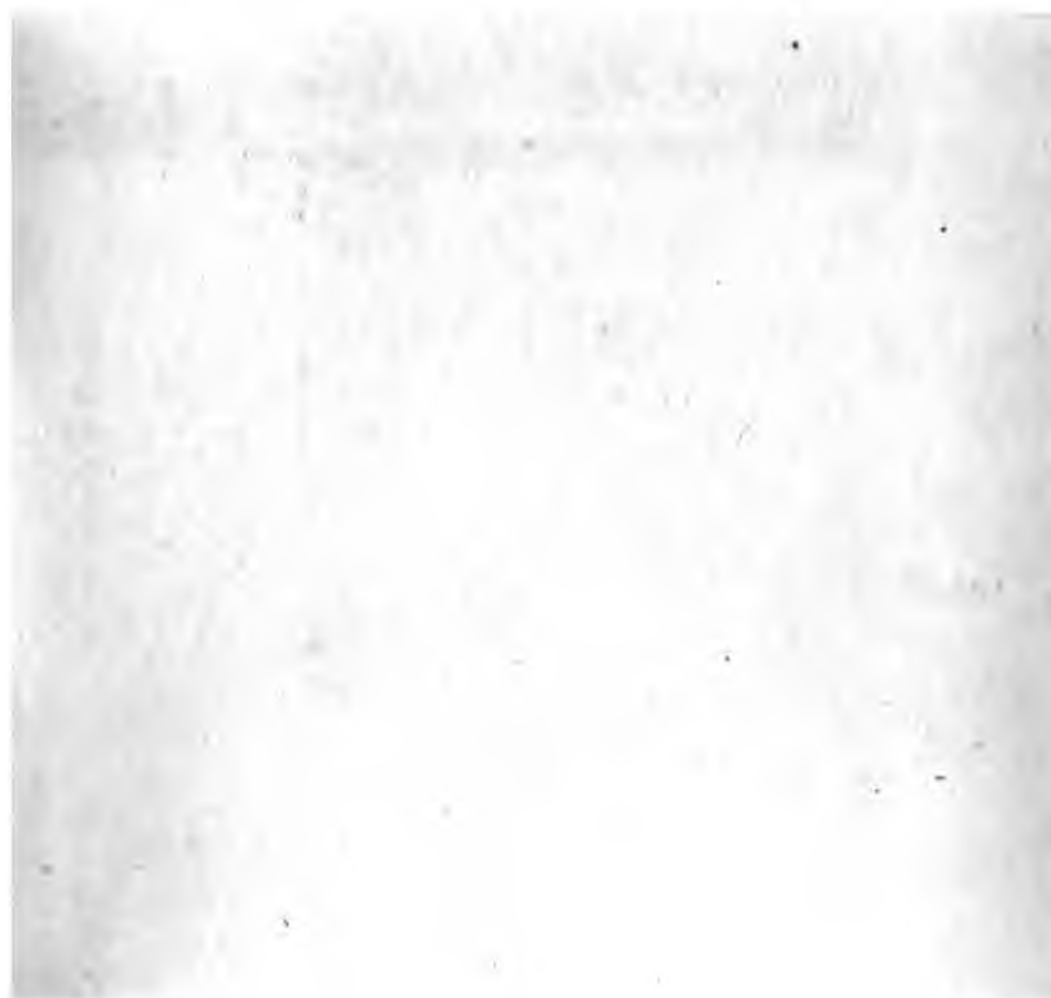


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HISTORY

—OF—

Santa Clara County, California;

INCLUDING ITS

Geography, Geology, Topography, Climatography and Description,

TOGETHER WITH

A RECORD OF THE MEXICAN GRANTS; ITS MINES AND NATURAL
SPRINGS; THE EARLY HISTORY AND SETTLEMENTS, COMPILED
FROM THE MOST AUTHENTIC SOURCES; THE NAMES OF
ORIGINAL SPANISH AND AMERICAN PIONEERS; FULL
LEGISLATIVE HISTORY OF THE COUNTY; SEPA-
RATE HISTORIES OF EACH TOWNSHIP,
SHOWING THE ADVANCE IN POPU-
LATION AND AGRICULTURE.

ALSO

*INCIDENTS OF PUBLIC LIFE; THE MEXICAN WAR; AND BIOGRAPHICAL
SKETCHES OF EARLY AND PROMINENT SETTLERS AND
REPRESENTATIVE MEN;*

AND OF ITS

Cities, Towns, Churches, Colleges, Secret Societies, Etc., Etc.

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PREFACE.

THE History of Santa Clara County was undertaken now nearly a twelve-month since; the result of our labors will be found in the following pages. We claim no literary merit for our work. Our aim is to please the majority by presenting a volume, wherein will be found in convenient shape the principal events that have transpired within the county limits.

To the old settler, to the pioneer citizen, the events recorded in these pages, many of them in which he has figured, and which have been gradually and surely fading from the mind, will be as a revival of by-gone associations. The emulation of the sire will be revived in the son. The ground that he rescued from the wilderness will be made holy, while the infant will be taught to look with reverence upon the book which holds the annals of his parent's wanderings, and the rise and progress of his native county.

Unhappily many matters that should have found a place in this volume, and several biographies have been omitted, this not through any dereliction on our part; on the contrary, every effort has been made to make the work as complete as might be.

In conclusion we have to thank the residents of the county for their almost uniform kindness in imparting information, while our acknowledgements are due to "Hall's History of San José;" Hon. J. J. Owen, of the *San Jose Mercury*; F. B. Murdoch Esq.; Givens George, Esq.; S. W. DeLacy, of the *Daily Morning Times*; the publisher of the *Daily Herald*; and last though not least, A. P. Murgotten of *The Pioneer*. To the County and City Officers, one and all, we owe a deep debt for valuable assistance in unraveling the archives of the two governments, while, especially are our thanks offered to Horace S. Foote, for the important data embodied in our list of county and township officers.

J. P. MUNRO-FRASER, —
Historian.

ALLEY, BOWEN & CO.

San Francisco, August, 1881.

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HISTORY OF SANTA CLARA COUNTY, CALIFORNIA.

GEOGRAPHICAL SITUATION AND AREA—DERIVATION OF NAME—POPULATION—GEOLOGY AND MINERALOGY—TOPOGRAPHY—SOIL AND PRODUCTIONS—ARTESIAN WELLS—CLIMATOGRAPHY—THE THERMAL BELT—MEAN TEMPERATURE—RAINFALL—GENERAL REMARKS—EARTHQUAKES—DESCRIPTIVE.

SANTA CLARA COUNTY is bounded on the north by Alameda county, and a portion of the Bay of San Francisco; on the east by Stanislaus and Merced counties; on the south by San Benito county; and on the west by Santa Cruz and San Mateo counties. Its average length from north to south is thirty-five miles; its breadth from west to east, thirty miles; while it comprises about seven hundred thousand acres, or nearly one thousand and fifty square miles.

The immense advantages of location, which the county possesses, may be at once observed on reference to a map of the State. It embraces all of the various lands suitable for the production of fruits, cereals or vegetables, or the raising of stock and timber. Within its boundaries there is little, if any, waste ground, while its poorest and roughest would compare well with what would be considered good farming land in some of the States on the Atlantic coast. Through its center runs that beautiful vale, marvelous in its fertility, which is the namesake of the county; on the west the Coast Range protects it from the bitter winds that cross the ocean; to the east a wall of high mountains bars the keen zephyrs from off the Sierra's snow; while the head of San Francisco's glorious bay skirts a portion of its northern extremity, where navigable sloughs and creeks intersect its shores, and penetrate to a considerable distance inland.

DERIVATION OF NAME.—The origin of the name which this county bears is thus described in a report made to the Senate under date April 16, 1850, by General Mariano Guadalupe Vallejo, then the Senator from the District of Sonoma, entitled, "Report of Mr. Vallejo, on the Derivation and Definition of the Names of the several Counties of California." In that report, unequalled in its style, and in the amount of information crowded into a small compass, he says of Santa Clara: "According to the Roman

Book of Martyrs, or Martyrology, as Hortalana, the pious mother of Santa Clara, was once kneeling before a crucifix, praying earnestly that, being with child, she might be happily delivered, she heard a voice whispering, 'Fear not, woman, thou shalt safely bring forth;' whereupon a brilliant light suddenly illumined the place, and the mother, inspired by the mysterious prediction, baptized her child Clara, which is the feminine of clear, or bright. Clara was afterwards sanctified, on account of her many eminent virtues, and accordingly venerated by the Catholics in all Roman Catholic churches.

The Mission of Santa Clara, from which the county derives its name, was founded on the twelfth day of January, 1777."

POPULATION.

	1860.	1870.	1880.
California.....	379,994	560,247	865,747
SANTA CLARA COUNTY.			
Almaden Township.....	744	1,647	2,412
Alviso Township.....	831	588	
Burnett Township.....	220	802	540
Fremont Township.....	1,085	2,018	2,160
Gilroy Township.....	1,206	1,570	1,630
Gilroy, town.....		1,625	1,675
Milpitas Township.....		565	1,508
Redwood Township.....	686	1,353	2,244
San José Township.....	4,579	3,420	5,541
San José, city.....		9,089	12,615
Santa Clara Township.....	2,559	3,469	2,372
Santa Clara, town.....			2,416
Total.....	11,912	26,246	35,113

In 1862, Milpitas was formed out of Alviso township. In 1880, the census of the two townships was returned in one report, and is credited in the above table to Milpitas.

The total given for 1860 is greater by two than is shown by the footings, but it is in accordance with the official returns.

GEOLOGY AND MINERALOGY.—This subject is one of vast importance to Santa Clara county, and requires a more elaborate dissertation than that which we can give it. Our task will be to present simply a general geological and mineralogical glance of the more prominent parts of Santa Clara. Commencing with the eastern hills, therefore, we find that they consist of a center of metamorphic cretaceous rocks, flanked by an enormous thickness of unaltered cretaceous strata, the latter consisting of sandstones, with inter-stratified shales. A coarse conglomerate, the boulders in which are metamorphic rock, differing from that comprising the main mass of the mountains, occurs on the outer margin of the hills, towards the San Joaquin plain.

The unaltered cretaceous and tertiary strata flank the entire range on the eastern side, as far north as its junction with the Sierra Nevada. The absence of the tertiary is marked by the precipitous nature of the range where it joins the plains, as opposed to the low-rolling hills where the tertiary overlies the cretaceous.

Along the eastern flank, the tertiary, as far as known, rests conformably upon the cretaceous. The metamorphic rocks have the same general character, being marked by jaspers, serpentine, and, occasionally, mica slate. Their limits are well indicated by the growth of forest trees, which is very meager upon the hills made up of unaltered strata, they being generally very dry and barren.

The summit of Pacheco's Peak, a little south of east of the town of Gilroy, as well as those of other and higher peaks, in a line crossing the range obliquely to the south-east, are of trachyte. This is the first known occurrence of eruptive rock in the main Mount Diablo range south of Suisun bay.

The tertiary is more extensively developed on the western than on the eastern side of the Mount Diablo range toward the north. The hills bordering the San José valley on the east belong to this period, and are from one thousand to twelve hundred feet in elevation. The rocks are highly altered in places. A tertiary ridge extends to the north-west, separating San José and Calaveras valleys.

The geology of the belt of elevated land between the San José valley, the Bay of San Francisco and the ocean, is rendered somewhat complicated by the intrusion of granitic rocks among the unaltered cretaceous and tertiary strata of which these hills are chiefly formed. Besides this geological formation, rocks similar in lithological character to those of the Mount Diablo range are found. Fossils sparingly occur. A metamorphic belt extends from Redwood City, San Mateo county, to the south-east a distance of about forty miles, forming the eastern edge of the range and the summit of Mount Bache, three thousand seven hundred and eighty feet in height, and of other high points. Limestone in detached masses, occurs at several places throughout this belt; evidences of what was once, in all probability, a complete limestone belt, are found at various places, from the summit of Black mountain, back of Mountain View, to as far south as the New Almaden Mines, which lie in a ridge north-west of that formed by the metamorphic mass of Mounts Bache, Chaoual, and others. It is to be seen on Los Gatos creek, dipping to the north-east, and is less altered there than at other places where it is hard and compact, though not crystalline.

By far the most interesting and important feature of the range under consideration, is the occurrence of the extensive deposits of cinnabar in the metamorphic cretaceous rocks at the New Almaden Mines, a few miles

south-west of San José, and lying in a ridge east of the main range, culminating in Mount Bache, the highest points of which are about seventeen hundred feet above tide water. The three mines—the New Almaden, Enriquita, and Guadalupe, are in line extending over a distance of about five miles; the former is by far the most productive. The cinnabar occurs in altered shales, inclosed by extensive masses of serpentine. The ore is very irregularly distributed, though the metal-bearing portions seem confined to limited areas dipping with the strata. This is but one of the numerous localities throughout the coast ranges where cinnabar is mined, but thus far is the only one that has been worked with very great and continued profit to its owners.

In addition to the important deposits of cinnabar in this county, it also contains several veins of copper ore, which have been worked to some extent. Petroleum and Asphaltum are abundant in the range of mountains between Gilroy and Watsonville, particularly on Sargent's ranch, and in Moody's gulch, near Lexington, at a point one thousand one hundred feet above the sea.

TOPOGRAPHY.—In considering the topography of this county let us premise by saying that the great Santa Clara valley is but a portion of that vast plain which stretches from the Golden Gate in the north to San Juan South, a distance of ninety miles. When first peopled the whole was known as San Bernardino. It is oval in form and attains its greatest width near Mount Bache, where it is about fifteen miles. About four miles from San José, and apparently forming a barrier across the valley, are a chain of low hills, called the Hills of Tears, (so named, the legend relates, because in early times when some of the first settlers were coming up from the State of Sonora, they stopped there, and their provisions giving out caused the children to cry,) but the obstruction, however, is only apparent. About eight miles from this point the valley contracts to a width of but three miles, and so continues for some six miles, when it again expands to a breadth of nearly six miles, and thus sweeps out beyond our limits.

A chain of mountains hems in the valley on either side running north-west and south-east. From the time of its entry into the county, the eastern range rapidly rises, becomes broader and very rough, having many elevated points along it, until it culminates on the summit of Mount Hamilton, nearly east of San José, four thousand four hundred and forty-three feet above the level of the sea. The range then decreases in height to Pacheco's Pass, the loftiest point of which is fourteen hundred and seventy feet. The western range near the famous Almaden Mines is crowned by two grand-looking peaks that stand like stalwart sentinels guarding the precious treasures which lie concealed in the yet unexplored store-houses of their lesser

brethren around. To one the Indians gave the name of Chaoual, to the other Oumouhum. The first of these has an altitude of three thousand five hundred and thirty feet; the second, which has been modernized into Mount Bache, is three thousand seven hundred and eighty feet above the sea level.

In the cañons and on the slopes of the western chain are to be found growing in full vigor the useful redwood (*Sequoia Sempervirens*) as well as many oaks and madrona. Of course the march of civilization has considerably thinned the primeval forests, but further back, beyond the county line, there yet remains enough timber to supply many generations. On the eastern range, comparatively few trees are found, but its swelling undulations, picturesque ravines, and wealth of natural beauty, pleases the eye, making a grand contrast with its opposite neighbor on the western side of the valley.

At a distance of twenty-five miles from San José, in the depth of these eastern gorges, the Coyote stream has its birth, and after springing into vigor, leaves its cradle, joyously leaping and splashing among the roots of trees and playing around the smooth worn sides of boulders, until it rushes into the pastoral valley, where it assumes a more staid demeanor, and languidly flows in many a tortuous curve, at last finding its doom in the great Bay of San Francisco. But what a change comes over its spirit during the rainy seasons! It then becomes a swirling, treacherous torrent, sweeping here and tearing thither, carrying all before it, until lost in the mighty ocean; yet how different is its normal condition. The Summer's sun has deprived it of much of its life, but none of its beauty; its clear stream trickles through the cañons, kissing the laughing flowers, and giving life to the parched ferns and grasses in its course, while "its whimpering waters make their way" into the salt water basin. So much like human life is a stream!

The next most important creek in Santa Clara county is the Guadalupe so named after the patron saint of Mexico. It rises in the Sousal, about three miles south-west from San José, is fed by many tributaries and springs, and runs in a northerly direction until it comes near the city when it takes a north-westerly course and empties itself into San Francisco bay, near the *debouchure* of the Coyote.

There are numerous other streams in the county, many of them being of importance on account of the mills which stand on their banks, but unhappily our space will not admit of our describing each in their turn; suffice it to say that all have their advantages both manufacturing and pastoral.

There are several small valleys in the county, secluded among the hills, where many settlers have made comfortable and pleasant homes. Among these are the Cañon de los Osas (Bears cañon,) six miles easterly from Gilroy, which, a few years ago was a favorite resort of the "grizzly." It is a wild but exquisitely beautiful gorge, through a range of high mountains, covered

with live-oak, sycamore, and a dense underbush, which is still full of small game; but "Bruin" has been exterminated. The red clover and bunch grass growing luxuriantly here, are the favorite food of many kinds of game. The creeks and pools are also full of fine trout.

The Calaveras (Skulls) valley is another gem, which at one time formed the bed of a mountain lake. It is about five hundred acres in extent and is now peopled with a thriving community of farmers.

Besides these there are the San Antonio and Blackbird valleys, in Milpitas township; Isabel, San Felipe, Horse, and Hall's valleys in San José township, with others of less note.

SOIL AND PRODUCTIONS.—The following remarks have been culled from "The Natural Wealth of California" by Titus Fey Cronise:—

The peculiar geographical position of this county, in a broad valley nearly surrounded by mountains, causes it to enjoy an equable climate; but it is from ten to fifteen degrees warmer than San Francisco, being comparatively free from the cold winds and fogs which prevail nearer the coast. The greater portion of the soil on the lower plains is a rich black, sandless loam, called *adobe* which yields from twenty-five to thirty bushels of wheat to the acre. Many fields have been planted with grain for ten successive years without manuring—the last crop being the heaviest. This is particularly the case on what is known as Stockton's ranch, a large tract of land on the east side of the valley, purchased by Commodore Stockton in 1847. There are other sections where the land is thus continually "cropped" with wheat, on which the yield is much lighter than formerly. Some of the land when it is new yields as high as seventy-five bushels to the acre. The wheat raised in the eastern portion of the valley, where the soil is somewhat gravelly, sells for the highest price in the San Francisco market, and makes the finest flour.

Along Los Gatos creek, about a mile from San José, there is a tract of rich bottom-land which, not very long since was covered with willows, but now contains a luxuriant crop of hops. About the town of Santa Clara—the highest land in the valley—the soil is lighter and more sandy; similar land extends beyond Gilroy, thirty miles south of San José. One reason why much of the hill and mountain land on the west side of Santa Clara valley, about Gilroy, and south of that place, is retained for grazing purposes, is, that being within the range of the fogs from the ocean, the grass is green, and affords good pasturage during the Summer. Every year, large numbers of stock are driven from some of the southern and interior counties to be fed on the fresh pasturage of these hills. So valuable are some of these lands for this purpose, that their owners hold them at higher prices than the grain lands of the valleys.

The high lands bounding the valley on the east and west are admirably adapted for the cultivation of the grape, to which large tracts have been applied. The soil of these hills is a dark brown, sandy loam, quite unlike that of the valley. The common California grape, which does not ripen until September, in other localities, on the hills south-east of San José, ripens in July and August. The highest ridges of the mountains are in many places densely timbered, affording a supply of good lumber and fuel. The slopes around the edge of the valley are covered with wild oats and native grasses and afford excellent pasturage for large herds of cows. The butter and cheese made about Gilroy are famous for their richness. There are very few cattle raised in the county, it being so generally under cultivation with grain and fruit.

From San José to Gilroy, a distance of nearly thirty miles, the valley, in the Summer, forms an almost unbroken wheat field. In May, June, and July, when the grain is ripening, the view of this portion of the valley is a marvel of beauty. The farmers' houses, surrounded by gardens and orchards, appear like beautiful green islands in a golden sea. A month later the whole scene is changed: The waving grain has all been cut, and huge stacks of yellow straw and dingy grain bags are piled up in all directions, the latter waiting to be transported to market. In the Spring, it presents still another aspect, when the young grain is just peeping above the black soil, and the purple and white blossoms of the apricot and peach form a striking contrast in color with the hazy neutral tint of the distant mountains.

The great extent of level land in this valley admits of the use of all descriptions of agricultural machinery; the consequence is that nearly all the work on the large farms is performed with almost incredible rapidity. A thousand acres are sometimes plowed, seeded and cut in less time than is required on farms of one hundred acres in many parts of Europe. This advantage, together with the much larger yield per acre, compensates for the higher price of land, labor, and material. Large tracts of this valley produce volunteer crops, which are cut for hay, yielding generally about two tons per acre.

ARTESIAN WELLS.—Naturally, Santa Clara county is not well watered. It has but few streams of any importance—the Guadalupe and Coyote, and they, save in a season when their waters are of no avail, are at best but inconsiderable mountain torrents as they flow through the valley. Happily, it was discovered that far down in her subterranean depths there flowed an abundant supply of pure, sweet, wholesome water. Is it any wonder that the gravity of the usually composed author of "The History of San José" should have been disturbed, and that he should have waxed enthusiastic in

these words: "As this year (1854) came rolling in, the artesian water first came surging up from its hidden depths to play and sparkle in the living light of day. What a change! What a wealth for this beautiful valley. Far beyond in value the discovery of a dozen gold mines; it appeared to be the work of enchantment. This was the only thing that seemed to be wanting. All had felt that water for irrigation, and good water for drinking were the great necessities of this lovely valley. Here was a genial clime, a rich soil embosomed in the hills, like a jewel in a deep setting. It was brilliant in its vernal freshness; parched in the Summer's heat. Nature herself seemed dissatisfied with her work. To complete it, she diademed the jewel with the sparkling element, and caused the fame of this land to spread, like the light of the sun, all over the earth. And now, how lovely, how enchanting has this valley become, by the just combination of the elements! Now we behold the artificial currents interlacing, like silver threads, the innumerable blooming gardens, and fruitful orchards, nourishing myriads of multiform roots dyeing the leaves with living green—the flowers with varied colors of deepest hue; quenching the thirst of living man, and causing him to pause, as he beholds the face of nature, to reflect upon the goodness, the wisdom, the power, and wondrous works of the Creator of all things."

The credit of having bored the first artesian well in Santa Clara county, belongs to Merritt Brothers, who, in January, 1854, completed operations on Fifth street, near St. John's street, in the city of San José. In the same month and year, J. S. Shepherd bored a well about three miles east of San José. When at eighty feet, the water was forced into the pipe sixteen feet above the surface of the ground. T. Meyers bored the next well, in February. The most remarkable of these wells in the valley, however, was that constructed by G. A. Dabney, in August, 1874, near San Fernando street, San José, when, in defiance of all efforts to control it, the water rushed out when a depth of sixty feet had been reached. We are told it flooded all the surrounding lands, and the Common Council of the city declared it a nuisance, and ordered Dabney should pay a fine of fifty dollars for every day that he allowed the water to run; but this had no effect on the well, which for six weeks produced a stream four feet wide, and six inches deep. At the end of this time, the flow of water was reduced by the sinking of other wells in the neighborhood. The following are some of the deepest wells in the county: At the old hospital grounds, three hundred and fifty-five feet; Mrs. Hensley's, three hundred and two feet; Mountain View, four hundred and sixty feet; China Smith, three hundred and seven feet; James Murphy's four hundred and thirty-seven feet; St. James Square, three hundred and sixteen feet.

It has been said by some, writing as with authority, that the artesian water

is confined to only the northern part of this valley. The error of this statement is too well known to require contradiction. As a fact, artesian wells can be bored, with success, in any part of the valley, the proof of this being the existence of upwards of a thousand of these in full operation in the county.

CLIMATOGRAPHY.—The climate of California varies with almost every locality, preserving but one feature that is in any sense uniform—wet Winters and dry summers. During the Winter snow falls to a great depth in the Sierra Nevada, and in small quantities upon the mountains of the Coast Range, but seldom any in the principal valleys. Along the sea-board, and wherever the country approaches the ocean level, the Winters are warm and pleasant, showers alternating with sunshine, in agreeable contrast. In the Summer, the cold, northern trade-winds set in about the first of May, and sweep the coast regularly. The Spanish galleons, bound from Manilla to Acapulco, three centuries ago, steered for Cape Mendocino, where they would encounter the north-west trade, and run before it, with swelling sails, to their beautiful harbor. Cool, cloudless nights, and delightful mornings, attend these winds, but in the remote valleys beyond their influence, the Summer heat is intense and the air dry. In the valleys that lie near to the coast, like that of Santa Clara, Napa, and the Great Russian River country, the intervening chains of mountains break the blast, and make the Summers pleasureable—neither too hot nor too cold.

In Santa Clara county the Winter, or rainy season, though ushered in by occasional showers usually commences in the month of December, when vegetation starts. The Summer winds have died away, save those that blow from the south, and come laden with welcome rain. It must not be thought, however, that we wish to convey to the uninitiated the impression that this is a season of continuous rain. Such is not the case. It is a season of showers, sometimes of several days' duration, followed by weeks of fine, clear, balmy weather, during which the farmer tills his soil, and sows his seed. By the month of March, the heavy rains cease, and occasional showers infiltrate the earth until May, when the verdure attains its fullest perfection, and the country looks its best. Snow seldom falls in the valley, but it frequently is to be seen upon the summits of the distant hills, where, however, it remains but a few days, and frosts occur severe enough to destroy the more tender plants, but not to interfere with the growth of grasses, and many kinds of vegetation.

We should here observe that the Winter of 1879–80 was an unusually cold one, both snow and frost being severely felt. On January 28, 1880, a heavy fall of snow was general throughout the State, and frosts were almost too frequent. Of the snow-storm, Julius Martin, of Gilroy, a pioneer of 1843,

states that the only other storm of like severity, that he remembers, occurred in the Winter of 1848-9. At that time the snow in the valley was at an average depth of three inches, and all the natives looked upon the sight with astonishment, while it remained on the ground two days, when it was followed by a heavy rain, which caused the streams to rise and overflow. In the following Winter, in November, 1849, rain fell in torrents, and continued to pour almost incessantly, until April, 1850, when the Santa Clara valley was inundated for weeks. But these are only isolated instances, the like of which may not occur again in a lifetime.

But to return to our subject. Except alfalfa, the grasses are annuals. Alfalfa is a coarse variety of clover with deep roots, sometimes extending from ten to fifteen feet into the earth. It has a hard, woody fibre about an inch in diameter, retains its verdure from year's end to year's end, and affords excellent pasturage for cattle. Roses remain in foliage throughout the Winter, and blossom in sheltered places, while various species of evergreen shrubs and trees, unknown to the Eastern climate, at once lend a cheerful aspect to the landscape. The apple, pear, peach, plum, and other varieties, are denuded of their leaves, as at the East.

And now comes the season of harvesting, which the farmers perform at their leisure, leaving their stacks unprotected, and their grain in sacks piled in the open fields for months at a time. No rain ever disturbs their labors. It is the finest harvest weather imaginable. The days are uniformly cool, with rare exceptions, enabling man and horse to accomplish the largest amount of work with the least fatigue. During the forenoon, a good breeze springs up from the north, blowing steadily till night; but unlike the cold winds of the sea-board, it is tempered to a genial mildness by the fervid rays of the sun. From May until October, the sky is usually cloudless, save with an occasional fog-bank hovering over the valley, in the early morning, which is soon dispelled by the sun. There is but very little dew; vegetation dries up; the fields become sere and brown; the roads exceedingly dusty; and a universal drought prevails. Yet, though dry, the grasses retain their nourishment, and the stock thrive thereon, until the Winter's rain again descends, and a new growth commences.

These lengthy, dry Summers are truly the perfection of this climate, the desiccated, cool atmosphere being a sure protection against malaria, hence fevers are almost unknown. The nights are positively sublime. Invariably cool enough to require thick covering, sleep becomes a luxury rarely enjoyed in other lands. It is this peculiarity of climate that gives such perfection to the cereals, such luster and lusciousness to the Summer fruits produced in the Santa Clara valley.

Next come the hazy Autumn days. The trade-winds have ceased; the atmosphere grows thick with gathering moisture; the changing currents

whirl the dust and leaves into weird columns; the south wind settles down to its work; and the drama of the seasons is repeated.

The Thermal Belt.—In a pamphlet from the pen of J. J. Owen, editor of the *Mercury*, entitled the “Resources of Santa Clara Valley,” published under the auspices of the San José Board of Trade in the year 1875, we find the following remarks in regard to what is usually known as “The Warm Belt:”—

“A few years ago, the writer, while visiting the mountains in the vicinity of Lexington, late in the Fall of the year, observed a vineyard on the mountain side, in the lower portion of which the leaves were seared and blighted with the frosts, while the vines further up the hill were still fresh and green. Upon inquiring into the matter he found that such was a common occurrence—that the frosts seldom affected the upper portion of the vineyard. Other portions of the mountains were examined, on both sides of the valley, and from comparing notes with the settlers in those localities, it was ascertained that there was a belt of country lying upon the mountain sides that was almost entirely exempt from frost. This belt commences at an altitude of about four hundred feet above the level of the valley, and extends to an altitude of about twelve hundred feet—including a belt of country upon the mountain sides of from one to three miles in width, and stretching along the whole length of the valley. It is so distinctly defined that residents of the mountains in riding up from the valley, in the night time, when the air is still, can tell within a few rods where they will enter the warmer currents.

“The section is known to all old residents as the Warm Belt. The explanation of this singular feature is supposed to consist in this: The warm air of the valley rising at night along the mountain sides, meets the currents flowing in over the mountains, and is formed into an eddy which hugs the land and wards off the colder temperature. In this region frost is rarely known to occur. We have seen potatoes harvested in March, in this belt, that grew and ripened in the open air during the preceding months. Oranges, too, as fine as any of the best tropical production, are grown in the same belt—as yet upon a small scale, but indicative of what can be accomplished.

“It must be borne in mind that these hills are yet almost in a state of nature. They are sparsely settled, and but few improvements have yet been made—the settler preferring the valley lands at a much greater cost. At the same time the hills offer attractions and advantages for country homes that cannot be found in the valley. The lands are cheap, and the titles generally unquestionable. Their immunity from frosts will no doubt be taken advantage of, at no distant day, in the cultivation of the orange, lemon and many

kinds of tropical fruits not entirely indigenous to the valleys. This region is also especially adapted to the culture of the English walnut, pecan nut, almond, etc., and possesses the natural soil and climate for the olive, the raisin grape, and fig."

Mean Temperature.—The following table shows the mean temperature at San José for the year ending May 31, 1851. The record was kept by Jackson Lewis, and may be relied upon as accurate. We have no later record than this. It is, however, a fair sample of every year:—

MONTH.	Deg. 6 A. M.	Deg. 12:30 P. M.	Deg. 6 P. M.
June	52:40	77:03	60:40
July	55:32	81:71	64:84
August	53:16	83:74	64:87
September	55:63	79:17	65:10
October	46:48	74:68	63:06
November	34:40	59:77	52:30
December	36:61	53:68	45:26
January	36:68	54:42	48:00
February	38:93	58:32	48:61
March	39:99	62:58	51:29
April	50:37	69:23	54:00
May	48:26	69:90	54:97

Rainfall.—The following table shows the exact amount of rain that has fallen from 1860 to 1880, inclusive:—

1860-61, 16.44 inches	1871-72, 17.88 inches
1861-62, 25.61 "	1872-73, 17.23 "
1862-63, 10.08 "	1873-74, 18.02 "
1863-64, 24.73 "	1874-75, 16.50 "
1864-65, 17.00 "	1875-76, 10.23 "
1865-66, 18.00 "	1876-77, 12.00 "
1866-67, 16.30 "	1877-78, 20.00 "
1868-69, 15.68 "	1878-79, 12.00 "
1869-70, 19.31 "	1879-80, 22.00 "
1870-71, 14.40 "	

General Remarks.—In concluding our subject of the climatology of Santa Clara county, let us quote from Lieutenant Maury, that eminent scientist, whose fame is world-wide: He says: "The calm and trade-winds regions, or belts, move up and down the earth, annually, in latitude nearly a thousand miles. In July and August, the zone of equatorial calms is found between seven degrees north and twelve degrees north; sometimes higher; in March and April, between latitude five degrees south and two degrees north. With this fact, and these points of view, before us, it is easy to perceive why it is that we have a rainy season in Oregon, a rainy season and a dry season in California, another at Panama, two at Bogota, none in Peru, and one in Chili. In Oregon it rains every month, but about five times more in the Winter than in the Summer months. The Winter there is the Summer of the Southern hemisphere, when this steam engine is working with the greatest pressure. The vapor that is taken by the south-east trades is borne along over the region of north-east trades to latitude thirty-five or

forty degrees north, where it descends and appears on the surface with the south-east winds of those latitudes. Driving upon the high lands of the continent, this vapor is condensed and precipitated, during this part of the year, almost in constant showers, and to the depth of about thirty inches in three months. In the Winter, the calm belt of Cancer approaches the equator. This whole system of zones, viz.: of trades, calms, and westerly winds, follows the sun; and they of our hemisphere are nearer the equator in the Winter and Spring months than at any other season. The south-east winds commence, at this season, to prevail as far down as the lower part of California. In Winter and Spring the land in California is cooler than the sea air, and is quite cold enough to extract moisture from it. But in Summer and Autumn the land is warmer, and cannot condense the vapors of water held by the air. So the same cause which made it rain in Oregon makes it rain in California. As the sun returns to the north, he brings the calm belt of Cancer and the north-east trades along with him; and now, at places where, six months before, the south-west winds were the prevailing winds, the north-east trades are found to blow. This is the case in the latitude of California. The prevailing winds, then, instead of going from a warmer to a cooler climate, as before, are going the opposite way. Consequently, if under these circumstances, they have the moisture in them to make rains of, they cannot precipitate it. Proof, if proof were wanting, that the prevailing winds in the latitude of California are from the westward, is obvious to all who cross the Rocky Mountains, or ascend the Sierra Madre."

It will thus be seen that the winds which have so genial an influence upon our climate come directly from the Pacific ocean; forces its way through the Golden Gate, and, striking the Contra Costa hills, is wafted into the Santa Clara valley.

EARTHQUAKES.—There is a sort of nameless terror about an earthquake to those who have never experienced one, and to many who have, the sensation is anything but pleasant. But they are trifles compared with the terrible thunder-storms and hurricanes that prevail on the other side of the continent. Hundreds of people are killed by lightning there to every one that loses his life by earthquakes here. The thunder-storms and tornadoes have this advantage, however: they send their warning signals of gathering, skurrying clouds ahead, to prepare people for the dire disaster which may soon follow. The earthquake steals upon one when he least expects it. A sudden jarring of the earth, with perhaps a deep rumbling noise, followed by a quick oscillating motion, which dies away in a gentle, tremulous vibration, and all is quiet. The shock seldom lasts longer than eight or ten seconds. Many months sometimes intervene between these earth shocks, and

then again we have known several to occur in a single day. For the last three or four years they have been very rare.

"The heaviest shock in this valley, of which we have any recollection, occurred in 1868, when some brick buildings in San José were more or less injured—fire walls and chimneys were thrown down, plastering cracked, etc. The shock extended for several hundred miles along the coast, causing considerable damage to property in San Francisco and other places. It taught architects the necessity of improving their methods of building, by bracing and strengthening their walls in a more secure manner. In the construction of chimneys, also, galvanized iron has been substituted largely for brick. Wooden buildings are considered earthquake proof. They are seldom damaged to any considerable extent by the shocks.

"There are various theories concerning the cause of these disturbances, which at present, however, are mainly speculative. It is possible that scientific research may eventually fathom the cause, if not provide a remedy. The electric theory has many advocates. In other countries the equilibrium of the upper air currents of electricity and those of the earth is established and brought about through the medium of cloud conductors, as witnessed in the lightning's flash followed by the thunder peal. Here there are no cloud conductors during the Summer months. The earth, it is supposed, becomes overcharged with electricity which seeks an equilibrium with the upper air currents; hence the disturbance. This theory is strengthened by the fact that earthquakes usually occur in the Fall of the year when the clouds begin to gather and the air becomes filled with moisture. "Good earthquake weather," is what old residents designate a warm, cloudy day preceding the Winter rains. The "internal fire" theory has also its advocates. But whatever may be the cause, we much prefer an occasional earthquake to the frequent electrical disturbances that cause so much disaster to life and destruction to property in the Atlantic States."

DESCRIPTIVE.—Our poor pen is too feeble to do justice to so grand a theme as a description of Santa Clara valley. Better is it, therefore, that the language of the gifted traveler and author, Bayard Taylor, should tell the tale. Of this valley he writes, in his "Pictures of California:" "How shall I describe a landscape so unlike anything else in the world; with a beauty so new and dazzling, that all ordinary comparisons are worthless? A valley, ten miles wide, through the center of which winds the dry bed of a Winter stream, whose course is marked with groups of giant sycamores, their trunks gleaming like silver through masses of glossy foliage. Over the level floor of this valley, park-like groves of oaks, whose mingled grace and majesty can only be given by the pencil; in the distance, redwood, rising like towers; westward, a mountain chain, nearly four thousand feet in

height, showing through the blue haze dark green forests on the background of blazing gold. Eastward, another mountain chain, full-lighted by the sun, rose-color, touched with violet shadows, shining with marvelous transparency, as if they were of glass, behind which shone another sun. Overhead, finally, a sky whose blue luster seemed to fall, mellowed, through an intervening veil of luminous vapor. No words can describe the fire and force of the coloring—the daring contrast, which the difference of half a tint changed from discord into harmony. Here the great artist seems to have taken a new palette, and painted his creation with hues unknown elsewhere. Driving along through these enchanting scenes, I indulged in a day-dream. It will not be long, I thought—I may live to see it before my prime is over—until San José is but five days' journey from New York. Cars, which shall be, in fact, traveling hotels, will speed, on an unknown line of rail, from the Mississippi to the Pacific. *Then* let me purchase a few acres on the lowest slope of these mountains, overlooking the valley, and with a distant gleam of the Bay; let me build a cottage, embowered in acacia and eucalyptus, and the tall spires of the Italian cypress; let me leave home, when the Christmas holidays are over, and enjoy the balmy Januarys and Februarys, the heavenly Marches and Aprils, of my remaining years here, returning only when May shall have brought beauty to the Atlantic shore! There shall my roses outbloom those of Pæstum; there shall my nightingales sing, my orange blossoms sweeten the air, my children play, and my best poem be written. I had another and grander dream. One hundred years had passed, and I saw the valley, not as now, only partially tamed, and reveling in the wild magnificence of nature, but, from river-bed to mountain-summit, humming with human life. I saw the same oaks and sycamores, but their shadows fell on mansions, fair as temples, with their white fronts and long colonnades. I saw gardens refreshed by gleaming fountains, statues peeping from the bloom of laurel bowers; palaces built to enshrine the new Art, which will then have blossoms here; culture, plenty, peace, happiness, everywhere. I saw a more beautiful race in possession of this paradise—a race in which the lost symmetry and grace of the Greek was partially restored; the rough, harsh features of the Oriental type gone; milder manners, better regulated impulses, and a keen appreciation of the arts which enrich and embellish life. Was it only a dream."

Let us not disturb the poetic vision, but rather say, with the immortal Bard of Avon—

"Oh, if this were seen,
The happiest youth—viewing his progress through,
What perils past, what crosses to ensue—
Would shut the book, and sit him down and die."

THE MINES AND SPRINGS OF SANTA CLARA COUNTY.

THE NEW ALMADEN QUICKSILVER MINE—THE ENRIQUITA MINE—PACIFIC CONGRESS SPRINGS—
MADRONE SPRINGS—GILROY HOT SPRINGS, ETC.

Mines—THE NEW ALMADEN.—It is usually supposed that the New Almaden Mine was known to the Indians more than three-quarters of a century ago, as more than fifty years since, it was made known by them to the Robles family and Luis Chabolla. The ore, or cinnabar is a red sulphuret of mercury, which when pulverized and moistened forms a red pigment. This matter the Indians called *Mohetka*—red earth, and used as a paint, where-with to color their faces and body.

In 1824 the existence of the mine was communicated to Don Antonio Suñol, by Robles, who worked it for a year believing that it contained silver but not finding anything to repay their labor, Mr. Suñol abandoned the mine, and the four hundred dollars capital he had invested in it. They had no idea that it contained quicksilver, nor did their knowledge extend to the ore that contained such metal.

On November 12, 1845, there arrived from Sutter's Fort at the Mission of Santa Clara a Mexican officer named Andres Castellero, to whom was shown some specimens of the ore which he pronounced to be silver, with an intermixture of gold. While experimenting he, however, discovered quicksilver, and observed to those present, Father Real and Jacob P. Leese, that his fortune was made if it proved to be as rich as the quicksilver mines of Spain, for there was a standing reward of one hundred thousand dollars offered by the Government for the discovery of such a mine in the Republic of Mexico.

We are informed that according to the Spanish and Mexican mining laws, the foundation of the right to a mine is discovery; but the right is lost unless the discoverer makes known the fact before the judicial tribunal authorized to receive such declarations. The proceedings are *ex parte*, and consist of a production of the ore, a description of the place where it was discovered and of the person of the discoverer. These facts being duly made known and recorded, the title passes by operation of law, unless within the time limited, some one having a better right, appears. Before he is entitled to a registry and juridical possession, the discoverer is required to perform two acts: First, he must appear with a written statement of the



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facts necessary to be set forth ; and, Second, he must within ninety days thereafter, make a pit in the vein of his registry of the required dimensions. These performed, he may receive formal possession.

To the end that he should obtain a formal title to the mine, Castellero, on November 22, 1845, went before Pedro Chabolla, the Alcalde at San José, and filed the following document :—

"Señor Alcalde of First Nomination—

"Andres Castellero, Captain of permanent Cavalry, and at present resident in this Department, before your notorious justification makes representation, that, having discovered a vein of silver, with a *ley* of gold on the rancho pertaining to José Reyes Berreyessa, retired Sergeant of the Presidio Company of San Francisco, and wishing to work it in company, I request that in conformity with the ordinances on mining, you will be pleased to fix up notices in public places of the jurisdiction, in order to make sure of my right, when the time for the juridical possession may arrive, according to the laws on the matter. I pray you to provide in conformity, in which I will receive favor and justice ; admitting this on common paper, there being none of the corresponding stamp.

"Pueblo of San José Guadalupe, November twenty-second, eighteen hundred and forty-five.

ANDRES CASTILLERO."

On December 3d, another document is transmitted to the same Alcalde, wherein he states that apart from the silver with a *ley* of gold he had found liquid quicksilver, and this in the presence of several persons who could be summoned if necessary, therefore he wished this communication to be placed on record, and that he might be placed in possession according to law. Possession was given to him by First Alcalde Antonio Maria Pico, in the absence of a Professional Judge, December 30, 1845, in these terms : "I have granted three thousand yards (varas) of land in all directions, subject to what the general ordinance of mines may direct, it being worked in company, to which I certify, the witnesses signing with me." The certificate was signed by Alcalde Pico, with Antonio Suñol and José Noriega, as assisting witnesses.

Having declared his intention of working the mine in company, Castellero formed a copartnership at the Santa Clara Mission, divided the mine into twenty-four shares; gave four shares to Rev. Father José Maria R. S. del Real ; four to Don José Castro ; four to the brothers Secundino and Teodoro Robles ; and presumably kept the remainder for himself. He next employed an American named William G. Chard, from Columbia county, New York, who commenced the reduction of the ore and so continued for some weeks after the following primitive fashion described by Mr. Hall: He took a gun-barrel, charged it with pieces of ore, the size of a bean, stopped the vent with clay,

put the muzzle in a vessel of water, and built a fire around the other end. The heat drove off the mercury in the form of vapor, which passing out at the muzzle, was condensed in the water, and precipitated itself to the bottom in the form of liquid metal. Three or four gun-barrels were used in this way at the same time.

In the meantime, what was termed "juridical possession" of the mine was given to Castellero, and a short time after Chard erected a furnace near the creek, whither he transported the ore to be reduced, but, owing to its faultiness, it proved of no use, and was abandoned. With commendable determination and ingenuity Chard next essayed the following process: Obtaining six whaler's try-pots, capable of holding three or four tons of ore, he inverted three over the other three, and thus formed a furnace. By building a fire around these, and having so arranged them that the mercurial vapor was conducted to the water, he succeeded in reducing about two thousand pounds of quicksilver. This primitive method of reduction was continued until August, 1846, when Chard and his Indian workmen left, and nothing further was done until the following Spring.

In 1845, the Governor of California received the information of the discovery of the mine, a specimen of the ore being, at the same time, sent to the authorities in Mexico. In 1846, Consul Thomas O. Larkin forwarded the like information to the United States' Government at Washington, and described the mode of acquiring title according to the Mexican law; and, that same year, the mine was visited by Fremont, who is reported to have estimated its value at about *thirty thousand dollars*.

During the Winter of 1846-7, Castellero disposed of certain of his shares to the firm of Barron, Forbes & Co., Tepic, Mexico, who appointed as their agent, Robert Walkinshaw. He and a man named Alden took possession of the mine, May 5, 1847. Nothing but "holding" the property would appear to have been done by these custodians, until the arrival, in November, of Alexander Forbes, one of the above-mentioned firm, with a corps of workmen, funds, and all the necessary appliances for the process of reduction. A searching examination was made, and the mine gave evidence of great promise. The works were therefore prosecuted with vigor. Retorts were quickly established, and used until 1850, when furnaces were constructed, and the metal produced in large quantities, under the superintendence of the late General H. W. Halleck.

Above we have given Mr. Hall's description of the primitive method of reduction adopted by W. G. Chard in 1846; let us now see what he says of that pursued under the late eminent soldier: "These furnaces (speaking of those erected in 1850), with the condensing chambers, are from one hundred and fifty to two hundred feet long, and about ten feet high. The furnace proper is about fifteen feet long, and is divided into two compartments.

J. D. Whitney, in his "Metallic Wealth of the United States," says. "The ore found in connection with sedimentary strata, composed of alternating beds of argillaceous strata and layers of flint, which are tilted up a high angle, and much flexed. They are considered by Mr. Black to be of Silurian age, but their position has not been determined with certainty. With these rocks the mercurial ores are mingled in a series of beds and laminations of great number and extent, so that the whole workings are very irregular and contorted. The masses of ore are separated by intercalated strata of rock of variable thickness, which are themselves often filled with seams and bunches of the sulphuret. Numerous veins of carbonate of lime traverse the rock in different directions, cutting through the ore and dislocating the small veins; and the same mineral lines cavities in the masses of cinnabar, being there finally crystalized, and sometimes containing bitumen in minute globules. The sulphurets of iron and copper, and arsenical pyrites are associates of the ore, but they occur in very small quantities. An analysis of the ore by Professor Hoffman gave: Murcury, 67.25; Sulphur, 10.33; silica, alumina, etc., 22.55 = 100.13."

The search for the metal has resulted in the expenditure of much money and labor. In the first four years of activity, 1846 to 1850, the amount of money paid out was nine hundred and seventy-eight thousand one hundred and fourteen dollars, while metal to the value of five hundred and thirty-five thousand five hundred and forty dollars was extracted, being four hundred and forty-two thousand five hundred and seventy-two dollars less than the amount expended. In the years 1850 and 1851 the expenses amounted to forty thousand dollars per month, while the amount of metal produced was seven thousand five hundred pounds, worth sixty-three thousand seven hundred and fifty dollars. During these years the number of men employed was about two hundred, composed of Mexicans and Indians. Now the men employed belong to all nationalities, but principally Mexicans and Cornishmen. The ore then was altogether transported from the mine to the furnaces on pack-mules; these gave way to wagons; now it is carried on cars or slid down on incline planes.

The mine is entered about two hundred feet below the first opening by an adit-level, ten feet square, stoutly braced with timber, and about a thousand feet long. Through this the ore is transported on cars running on iron rails.

Perhaps the reader may not have been able to appreciate the vast resources of the New Almaden Mine; in such a case a glance at the annexed table will give some idea of the great wealth produced from it:—

**PRODUCTION OF QUICKSILVER AT NEW ALMADEN, FOR TWENTY-EIGHT
YEARS AND THREE MONTHS.**

DATES.	O R E.		Flasks of	Percentage	No. of
	Tons.	Pounds.	Quicksilver.	Yield.	Months.
July 1, 1850, to June 30, 1851.....	2,485	717	23,875	36.74	12
July 1, 1851, to June 30, 1852.....	2,321	1290	19,921	32.82	12
July 1, 1852, to June 30, 1853.....	2,419	1520	18,035	28.50	12
July 1, 1853, to June 30, 1854.....	3,724	.....	26,325	27.03	12
July 1, 1854, to June 30, 1855.....	4,554	1300	31,860	26.75	12
July 1, 1855, to June 30, 1856.....	5,177	1200	28,063	20.74	12
July 1, 1856, to June 30, 1857.....	5,149	1900	26,002	19.31	12
July 1, 1857, to June 30, 1858.....	5,498	1170	29,347	20.41	12
July 1, 1859, to October 31, 1858.....	1,936	1085	10,588	20.91	4
November 1, 1858, to January 31, 1861. (Closed by Injunction.)					
February 1, 1861, to January 31, 1862..	6,661	1200	34,765	19.96	12
February 1, 1862, to January 31, 1863..	7,640	1400	40,391	20.22	12
February 1, 1863, to August 31, 1863...	3,586	660	19,564	20.86	7
September 1, 1863, to October 31, 1863..	1,173	.....	5,520	18.00	2
November 1, 1863, to December 31, 1863..	1,179	1300	4,447	18.65	2
January 1, 1864, to December 31, 1864..	11,638	1600	42,489	13.96	12
January 1, 1865, to December 31, 1865..	15,974	400	47,194	11.30	12
January 1, 1866, to December 31, 1866..	13,442	1300	35,150	10.00	12
January 1, 1867, to December 31, 1867..	13,011	1933	24,461	7.19	12
January 1, 1868, to December 31, 1868..	14,702	1530	25,628	6.66	12
January 1, 1869, to December 31, 1869..	12,729	175	16,898	5.07	12
January 1, 1870, to December 31, 1870..	10,548	1700	14,423	5.23	12
January 1, 1871, to December 31, 1871..	11,017	700	18,568	6.44	12
January 1, 1872, to December 31, 1872..	10,708	600	18,574	6.63	12
January 1, 1873, to December 31, 1873..	8,665	375	11,042	4.87	12
January 1, 1874, to December 31, 1874..	11,727	.....	9,084	2.96	12
January 1, 1875, to December 31, 1875..	15,553	200	13,648	3.35	12
January 1, 1876, to December 31, 1876..	16,658	950	20,549	4.72	12
January 1, 1877, to December 31, 1877..	18,615	1600	23,996	4.93	12
January 1, 1878, to December 31, 1878..	18,472	1808	15,852	3.28	12
January 1, 1879, to December 31, 1879..	27,532	1135	20,514	2.85	12
January 1, 1880, to December 31, 1880..	30,677	850	23,465	2.92	12
Totals and averages.....	315,185	1598	700,258	8.50	339

Product of Enriquita from 1860 to 1863—10,571 flasks.

Total product of all the mines on the Company's property, 710,829 flasks of 76½ pounds each, or 54,378,418½ pounds.

THE ENRIQUITA MINE, about two miles to the north-west of the New Almaden, is the property of the same company.

The landed estate of this corporation consists of about seven thousand eight hundred acres; while at the two establishments there are one hundred and fifty dwelling houses, stores and workshops. The population employed in or dependent on the mines amounts to fifteen hundred; the company having, at the present writing, March, 1881, four hundred and fifty men on their pay roll.

The principal markets for the sale of the quicksilver procured at these mines are in Mexico, China, South America, and the gold and silver producing districts of California.

Let us now turn for a while to the legal phases through which the title to the New Almaden mine has passed. Mr. Hall, the able historian and lawyer, remarks in this regard: "The title was claimed by the persons who occupied the premises, under the name of the New Almaden Mining Company, but the petition was filed before the Board of Land Commissioners, in the name of Andres Castellero, for his benefit and those holding under him.

"The petition set forth that Castellero discovered a mine of cinnabar in 1845; that he formed a company to work it on the twenty-second of November; that on the third of December, 1845, he denounced it, and on the thirtieth of December received juridical possession, in due form, from the Magistrate of that jurisdiction; that the record of his mining possession was afterwards submitted to the Junta de Fomento y Administracion de Mineria, which declared it to be legal, and recommended to the Executive not only that it be confirmed, but that two square leagues be granted him on the surface of his mining possession; that the grant of two square leagues was made on the twentieth of May, 1846, and an order or patent of title issued to him on the twenty-third, with which he started to take possession, but was prevented by the war; that as soon as possible, he got a survey made; that by virtue of these facts, he acquired a perfect title, under which he and his grantees have held possession ever since 1845, expending immense sums of money upon it. The petition prays the Board to confirm to him 'the two square leagues of land, as embraced in his mining possession and grant, as aforesaid.' Such are the facts as laid before the courts, together with documentary and oral evidence in support thereof.

"The Board of Land Commissioners decided adversely to petitioner's claim, whereupon an appeal was taken to the United States District Court, where, January 18, 1861, the decision of the Commissioners was reversed, and the claim of petitioner declared to be good and valid to the mine known by the name of New Almaden, and of all ores and minerals of whatsoever description, in fee simple. That the mine is equal to seven *pertenencias* being of solid or a rectangular base, two hundred Castillian varas long, of the width established by the Ordenanzas of 1783, and a depth, including the surface, to the center of the earth; that they may select the said *pertenencias*, so that they shall be contiguous to each, that is, in one body, and to include the mouth of the original mine.

"From this decision an appeal was taken to the United States Supreme Court. This Court at the December term, 1862, held that no such registry of the particulars concerning the mine, nor of the action of the Alcalde upon the allegations of the petition, nor of his proceedings in respect to the juridical possession of the mine was ever made, as is required by the ordinance; neither were the *pertenencias* measured nor definitely located; nor the boundaries

fixed, nor the stakes set, as therein required. Registry has been required as the basis of the title to a mine wherever Spanish law has prevailed, for more than three centuries. The Court was of opinion that no case ever showed the necessity of such registry more than the present one. The Court further held that the Alcalde could not act in the place of a Judge of First Instance, under the mining regulations. The Court seemed to think that the case was spotted all over with fraud; and the conclusion arrived at was, that the claim was invalid, and therefore the decree of the District Court was reversed, and the cause remanded, with directions to dismiss the entire petition.

"Justice Catron gave a dissenting opinion, holding that Castellero acquired an incipient right, by discovery of the mine, and the surface of land lying above the mine, to the extent that it was adjudged to him by the District Court. He also was of opinion that the Alcalde had jurisdiction as a judicial magistrate, in the absence and non-existence of any authority in California, to make the registry and give possession.

"The mine was claimed by four different parties; that is, by parties claiming under four distinct sources of title, namely: under the Justo Larias grant, the José R. Berreyessa grant, the title denouncement by Castellero, and by the United States as being on public land. It was finally decided that the mine was on the Justo Larias grant, and that the furnaces and improvements of the company below the hill were on the Berreyessa grant. The company bought in these two titles to protect themselves."

An injunction was laid upon the mine in October, 1858, and remained thereon until February, 1861; during which period no work was performed. In 1864 the company disposed of the mine and all improvements for the sum of one million seven hundred thousand dollars, the purchasers being a company chartered under the laws of New York and Pennsylvania as "The Quicksilver Mining Company," with a capital stock of ten millions of dollars, divided into one hundred dollar shares. This company is the present owner of the mine, while the managers under it since 1864 have been: S. F. Butterworth to June 1, 1870, succeeded by J. B. Randol.

Springs—THE PACIFIC CONGRESS SPRINGS.—One mile above the beautiful village of Saratoga, and north-west from it, on Campbell's creek, are situated the Pacific Congress Springs, so called because of the resemblance of the waters to those of Congress spring, one of the fountains at Saratoga, New York. This is one of California's most picturesque and popular watering-places and Summer retreats, and, also, is in great favor as a Winter resort. It is open the year round. There are at this place three of these springs, the two lower but four feet apart, the third being separated from them by a space of about fifty feet. They are but a foot or two deep, being excavated from

the sandstone, the lower one which receives the drainage of the others; sending off a stream about two inches in size. The water from these springs are so nearly alike that the difference can scarcely be perceived by the taste. By analysis it is shown to contain 335.857 grains of solid matter to the gallon, composed as follows: Chloride of sodium, 119.159; Sulphate of soda, 12.140; Carbonate of soda, 123.351; Carbonate of iron, 14.030; Carbonate of lime, 17.295, and Silica alumina, with a trace of magnesia, 49.882. It is considered a healthful and refreshing beverage, and has gained much favor with the public, several dozens of bottles being sent away daily. The gas is collected in a receiver placed over the principal fountain of the group, whence it is conducted through a pipe and forced into the bottles.

Congress Hall, originally only fifty by fifty feet, was established as a Summer resort by D. O. Mills, A. Hayward, A. J. Easton, E. W. Knight, O. F. Griffin, Louis McLane, John O. Earl and George R. Spinney. It was opened June 16, 1866, since which time it has been growing in favor and its accommodations increasing. Belonging to, and rising about it, are seven hundred and twenty acres of wooded hill-side. The present length of the building is two hundred and twenty-five feet, with sixty-three well ventilated rooms; surrounding it are homelike cottages, while it is possessed of every modern appliance and convenience, there being over five miles of water-pipe distributed through the buildings and grounds. The present proprietor, Lewis A. Sage, has owned and successfully conducted the establishment since 1873; he has his own dairy, vineyard and fish-pond, while he is sufficient of a sportsman to rigidly preserve the game on his property.

The springs are five minutes' walk from the Hall, and are controlled by Bliven and Mitchell, No. 29, New Montgomery street, San Francisco.

For a nice, quiet, homelike place, and charming climate, this resort is unexcelled on the Pacific coast. It is connected by easy stages with Los Gatos, on the South Pacific Coast Railroad, only four miles distant, and with San José, ten miles away.

THE MADRONE SPRINGS.—The now well-known Madrone Mineral Springs are situated in Burnett township, about twenty-five miles southeast from San José, in the Coast Range, at an altitude of two thousand feet, and located in a sheltered and picturesque cañon at the foot of the Pine Ridge. The place is free from fogs; the atmosphere is pure and invigorating, and the temperature is mild and pleasant. The mountains are clothed with such trees as pine, oak, maple, laurel, madrone, while medicinal plants are found in profusion in the vicinity.

The early traditions of the Madrone Springs state that they were known to the Indians, and there is little doubt that they were the "medicine waters" of one of their tribes, for many relics in the shape of mortars, hatchets, arrow-

heads and such like, have been and are being still turned up in all directions. Of their later history the following has been garnered : In the year 1866 a native Californian named Juan Moreno, discovered the springs while on a hunting expedition, but took no heed, at any rate he did nothing ; in 1868 he was joined by John Luce, an old mountaineer, when a log cabin was constructed, and a residence established, whence they could overlook the few cattle they had on the range. C. S. Adams, of Gilroy, who had become an invalid, hearing of the place, visited it and derived much benefit therefrom. In 1874 he purchased Moreno's interest, and erected four cottages, which still remain, though considerably altered, but he did not advertise the place as a resort. In 1879 he bought the remaining claim on the property from Luce, and thus became the sole proprietor. In that year, Dr. Clinton Munson, of Oakland, finding his health failing, knowing of the existence of these springs, visited them, and derived much benefit. In the month of June, 1879, in conjunction with Marshall E. Hunter, of Gilroy, he purchased the springs from Adams, the present proprietors being Munson & Hunter, the former of whom resides on the premises.

These springs are situated six miles north of the celebrated Gilroy Hot Springs, connecting with which there is a bridle path ; there is a fine road to the Madrone station of the Southern Pacific Railroad, with which there is a direct stage line to the springs, making four trips daily in the season, the ride being through some of the finest scenery in the Coast Range ; here the visitor will find accommodation for thirty guests, in eight detached, comfortable cottages. The springs are chiefly one of natural soda water, the principal properties of which are soda, iron and magnesia. This has proved of great medicinal virtue in dyspepsia, liver complaints, kidney diseases, and neuralgic affections. Another is strongly impregnated with iron and arsenic, which, for debility, skin diseases, asthma, and other affections, has proved an excellent curative. There is a white sulphur spring, which is also utilized, while guests may be supplied with hot and cold baths of natural soft water. Dr. Munson, who we have said resides at the Springs, giving his personal attention to invalids visiting the place, informs us that it is not the intention of the proprietors to make this a "fashionable" place, but a *homelike resort*, where guests can enjoy complete rest, and that it is their intention to erect a building to be used as a Sanitarium, where patients will be received at all seasons of the year, and obtain medical treatment in connection with the waters.

THE GILROY HOT MINERAL SPRINGS.—About twelve miles from the depot of the Southern Pacific Railroad, at Gilroy, in a small rocky ravine, in the Coyote Cañon, near the headwaters of that creek, where the mountains, timber-clad to their summits, rise several hundred feet on both sides of

that stream, Francisco Cantua, a Mexican shepherd, while hunting for some of his stray flock, in 1865, discovered what are now these famous springs. He lost no time in filing a squatter's claim to the premises, and for some years used it as a camping-ground for himself and friends. It is not probable that the Indians were aware of their existence, for no remains have been found, besides, the hills were much infested with wild beasts, a fact which may account for their lack of knowledge on the subject. Cantua sold his interest a short time after to Geo. Roop, who at once commenced the grading of a road to the springs, the erection of houses, and the general clearing and adornment of the locality. He then took into partnership Charles H. Twombly, Cashier of the First National Gold Bank in Oakland, Alameda county, who, in 1872, sold his share to John A. Cottle, and the proprietors became Roop & Cottle, the latter gentleman taking charge, and commencing a series of much needed improvements. In 1874 a building, containing three dining rooms, capable of accommodating two hundred guests, with sitting room besides, and on the upper floor sleeping apartments, was erected at a cost of twelve thousand dollars. In addition to this palatial structure there are eighteen cottages for families, and buildings containing bedrooms alone, the whole being capable of housing two hundred and forty visitors.

Situated about one hundred yards from the hotel, in a well-protected spot, and covered with a shapely kiosk, is the hot spring, represented as possessing such remarkable medicinal qualities. It discharges continuously about three inches of water, of a nearly uniform temperature of one hundred and eighteen degrees, Fahrenheit, and contains in solution sulphur, iron, soda, magnesia, baryta, arsenic (in small quantities), and alum (in small quantities). It is pungent, but by no means unpleasant to the taste. The bathing accommodation is commodious and well arranged, there being two separate plunge-baths for ladies and gentlemen, and a dozen tub-baths in neat and clean apartments. Within fifteen feet of the hot spring there are a dozen or more large springs of pure cold water, while nearly three-fourths of a mile from the hotel is a romantically situated garden, where anything and everything will flourish, from an orange to a turnip. The place is supplied with all modern improvements: there is telegraph communication with the outside world; on March 28, 1873, a post-office was established, which is still in operation; and there is stage communication with Gilroy twice a day.

The situation of the Gilroy Hot Springs is twelve hundred feet above the sea level, in the very heart of the mountains, amidst groves of pine and oak, which are filled with game of all kinds; near by, the Coyote affords a harvest of trout to the disciples of Izaak Walton, to this add the delightful climate, the picturesque walks, the opportunities for thrilling adventure, and the curative qualities of the water, and no more charming resort for the

pleasure-seeker, or the invalid, is to be found on the Pacific coast. The present proprietors are Cottle & Arrick, who are ably assisted by the ever-popular Pete Wilmarth.

MILLS' SELTZER SPRINGS.—These springs are situated ten miles west from the town of Santa Clara where the proprietor owns sixteen acres. They are almost inexhaustible, their capacity being about forty thousand gallons in the twenty-four hours, while the fluid is declared to be equal in its properties and flavor to any foreign liquid of the same nature.

In concluding this chapter it would be well to remark that these are not the only mines and springs in Santa Clara: we were unable to obtain histories of the others, through no fault of ours, for repeated application was made in the proper quarter, but, unhappily, with no result. Should any remarks, therefore, be made under this head, it must be remembered that repeated journeys for information on one especial subject is beyond possibility, where an entire county has to be visited in the search for the vast amount of matter collated in these pages.



THE EARLY HISTORY AND SETTLEMENT OF SANTA CLARA COUNTY.

"Let us depart! the universal sun
Confines not to one land his blessed beams;
Nor is man rooted, like a tree, whose seed
The winds on some ungenial soil have cast
There, where it cannot prosper."

AMERICA was discovered by Columbus on the twelfth day of October, 1492, and what a feat was this! Not so much a marvel is it that he came upon the vast continent, as that, in those so-called dark ages there were found men of such great courage and knowledge, unscientific though that may be, to sail away into the darkness, as it were, and sustain themselves against peril on every hand to eventually give, not only to their country, but to mankind, the rarest continent of a beatific creation. As the veriest school-boy knows and utters in a sing-song drawl, America was discovered as stated above, and became the territory of Spain. The Pacific ocean was given to the world by Vasco Nuñez de Balboa, who looked down from the heights of Panama upon its placid bosom on the twenty-fifth day of September, 1513. In 1519 Mexico was conquered by Hernando Cortez, and sixteen years thereafter, in 1537, his pilot, Zimeñez, discovered Lower California. In 1542 a voyage of discovery was made along the Californian coast by the famous Captain Juan Rodriguez Cabrillo, on the 5th July of which year, he landed at St. Lucas, in Lower California, and following the coast he finally entered the delightful harbor of San Diego, in Upper California on September 28th. This place he named San Miguel, which was afterwards changed by Viscaiño to that which it now bears.

The noted English voyager, Sir Francis Drake, sailed along the coast in 1579, but historians are doubtful as to whether he discovered the San Francisco bay. It would appear that this voyage was made from Oregon, where it is said his Spanish pilot, Morera, left him, and thence found his way overland to Mexico, a distance of three thousand five hundred miles. The name of New Albion was given to the country by Drake, with the evident intention of securing it for the British crown.

It was not until 1602, however, that the Spaniards took any actual steps to possess and colonize the continent. In that year Don Sebastian Viscaiño was dispatched by the Viceroy of Mexico, acting under the instructions of his royal master, King Philip III., on a voyage of search in three small vessels. He visited various points on the coast, among them San Diego; was well pleased with the appearance of the country, and on December 10th dis-

covered and entered a harbor, which he named in honor of Count de Monterey, the viceroy who had dispatched him on the cruise. We are told that part of this expedition reached as high as the Columbia river, and that the whole subsequently returned to Acapulco. Its efforts were pronounced satisfactory, a glowing description of the landscape was given, but whether they discovered the San Francisco bay is as much a matter of conjecture and doubt as Drake's visit.

For some unexplained cause not much use had been made of the information gained from these trips, which were of frequent occurrence, and it was not for one hundred and sixty-eight years that any steps towards the permanent settlement of Upper California were undertaken. Under the joint management of Church and State a plan with this end in view was commenced in the year 1683, but it failed, the State being there represented by Admiral Otondo, and the Church by a Jesuit Father named Kino, La Paz being their point of operation; but we believe we are correct in stating that they did not all visit Upper California. The settlement of the peninsula was finally undertaken fourteen years later, when sixteen missionary establishments were founded by Father Salva Tierra. The order which he represented falling into disgrace in Europe, however, was banished from the dominions of Spain and Lower California in 1768, after laboring for seventy years. They were in turn succeeded by the Franciscans and Dominicans, the former of whom, under the guidance of Father Junipero Serra, proceeded to the conquest and conversion of this part of the country. This Reverend Father is recognized by the Roman Catholic Church as the apostle of Upper California, and acknowledged in history as its founder.

The first permanent settlement was made in San Diego in 1769, when was also established the first mission, whence further operations were directed and new missions founded. On July 14, 1769, Gaspar de Portala, who commanded the expedition that called a halt at San Diego, left that place for Monterey, and there erected a cross:

" Pious Portala, journeying by land,
Reared high a cross upon the heathen strand,
Then far away,
Dragged his slow caravan to Monterey."

With Father Junipero Serra, he continued his northward journey and, by the merest accident, came upon the world-renowned Bay of San Francisco.

Finding it a place answering every requirement he named it after San Francisco de Assisi, and seven years later, June 27, 1776, possession was taken of the spot and a presidio established, the mission being located on the site of the present church. There may be a doubt as to whether the bay was ever discovered by Drake or Viscaino, but there is none of the visit of Gaspar de Portala, then Governor of the Californias. Henceforward the establishment of missions was rapid, as will be gathered from the accompanying list:—

- Mission San Diego, in San Diego county, founded under Carlos III., July 16, 1769; containing 22.24 acres.
- Mission San Luis Rey, in San Diego county, founded under Carlos IV., June 13, 1798; containing 53.39 acres.
- Mission San Juan Capistrano, in Los Angeles county, founded under Carlos III., November 10, 1776; containing 44.40 acres.
- Mission San Gabriel Arcangel, in Los Angeles county, founded under Carlos III., September 8, 1771; containing 190.69 acres. Patented.
- Mission San Buenaventura, in Santa Barbara county, founded under Carlos III., March 31, 1782; containing 36.27 acres.
- Mission San Fernando, in Los Angeles county, founded under Carlos IV., September 8, 1797; containing 76.94 acres.
- Mission Santa Barbara, in Santa Barbara county, founded under Carlos III., December 4, 1786; containing 37.83 acres.
- Mission Santa Inez, in Santa Barbara county, founded under Carlos IV., September 17, 1804; containing 17.35 acres.
- Mission La Purisima Concepcion, in Santa Barbara county, founded under Carlos III., December 8, 1787.
- Mission San Luis Obispo, in San Luis Obispo county, founded under Carlos III., September 1, 1772, containing 52.72 acres. Patented.
- Mission San Miguel Arcangel, in San Luis Obispo county, founded under Carlos IV., July 25, 1797; containing 33.97 acres. Patented.
- Mission San Antonio de Padua, in San Luis Obispo county, founded under Carlos III., July 14, 1771; containing 33.19 acres. Patented.
- Mission La Soledad, in Monterey county, founded under Carlos IV., October 9, 1791; containing 34.47 acres. Patented.
- Mission El Carmé, or San Carlos de Monterey, in Monterey county, founded under Carlos III., June 3, 1770; containing 9 acres. Patented.
- Mission San Juan Bautista, in Monterey county, founded under Carlos IV., June 24, 1797; containing 55.33 acres. Patented.
- Mission Santa Cruz, in Santa Cruz county, founded under Carlos IV., August 28, 1791; containing 16.94 acres. Patented.
- Mission Santa Clara, in Santa Clara county, founded under Carlos III., January 18, 1777; containing 13.13 acres. Patented.
- Mission San José, in Alameda county, founded under Carlos IV., June 11, 1797; containing 28.33 acres. Patented.
- Mission Dolores, or San Francisco de Asisi, in San Francisco county, founded under Carlos III., October 9, 1776; two lots, one containing 4.3 acres and the other 4.51 acres. Patented.
- Mission San Rafael Arcangel, in Marin county, founded under Fernando VII., December 18, 1817; containing 6.48 acres. Patented.
- Mission San Francisco Solano, in Sonoma county, founded under Fernando VII., August 25, 1823; containing 14.20 acres.

With this preliminary generalization let us now attempt our actual task of giving to the reader those chronicles which more especially appertain to Santa Clara county.

In the month of September, 1776, His Excellency the Viceroy of Mexico penned a communication to Don Fernando Rivera, the officer commanding at San Diego, informing him that he had received the intelligence that two missions had been founded in the vicinity of the Bay of San Francisco, and as the Commandante had been provided with the military guards for these, he should be happy to have his report. On the arrival of the dispatch Don Fernando, without loss of time, made arrangements for visiting the places designated and placing the guards, which he had retained at San Diego, in their proper quarters, and after a long journey, covering many days, he, with his twelve soldiers, arrived at Monterey, where he learned that only the Mission of San Francisco had been founded. Hence he started for that place, accompanied by Father Tomas de la Peña, who, with another, had been appointed to perform the religious duties of the expedition. On their journey they came to the spot afterwards occupied by the Santa Clara Mission, and being captivated by its many charms and advantages, at once resolved there to locate a mission. The party then continued their way to San Francisco, where they arrived on the 26th November. After visiting the presidio, as became a soldier, on the 30th the Commandante set out for Monterey, and dispatched Father Joseph Murguia from the San Carlos Mission, where all the preparations had been made, accompanied by an escort, and proper requirements, to found the new mission in the Santa Clara valley, then known by the name of San Bernardino.

Towards the last days of the year, 1776, the soldiers and their families, who were to take part in the establishment of the new mission, arrived at San Francisco, and on January 6th Padre Peña, the officer in command of the presidio, the soldiers and their families, took up the line of march in quest of the chosen spot. Their first duty on reaching their destination was to erect a cross, which, with all solemnity, was blessed and adored; on January 12, 1777—one hundred and four years ago—an altar was raised under its outspread arms, and the first mass ever breathed in the valley was said by Father Tomas de la Peña. In a few days Father Murguia and his followers joined them, with the necessary paraphernalia for a settlement, and on January 18, 1777, the formal ceremony of founding the Santa Clara Mission took place. This was the first settlement in the county.

Cannot the readers conjure up the picture we have so faintly outlined? Cannot he now see before him the devotional piety of the Holy Father Tomas, the respectful quiet of his followers, and the amazed gaze of the aboriginals; with what care the sacred emblem of the Cross is raised; with what reverential caution the building of the altar, sheltered as it is, is

effected? No sound is heard save prayerful utterances, mayhap broken by grunts of astonishment from the bewildered natives who stand closely observing the holy work from a respectful distance. The names of Fathers Peña and Murguia must ever be held in welcome recognition of the part they took, far from society and kinsfolk, in founding a mission which has become a landmark for all time in a valley where it would seem as if the Divine Hand had put forth its utmost skill to produce the fairest scene under the blue canopy of Heaven.

About seven years after the events above noted the holy Father Junipero Serra, President of the Missions of California, feeling that old age was fast overtaking him, as well as having some spare time, determined to visit some of the missions, to hold his last confirmations, and having been invited to dedicate the Santa Clara Mission, also to perform that ceremony. About the first of May he visited the selected spot, and on the 4th continued his weary journey to San Francisco, accompanied by that devoted fellow-countryman, Father Palou, a brother Franciscan Monk, a co-voyager to these shores, and afterwards his biographer, preferring to make his confirmations on his return. He had tarried in San Francisco but a few days when the distressing news of the illness of Father Murguia was received, he thereupon dispatched Father Palou to Santa Clara, who found Murguia sick of a low fever. Unhappily this worthy father never rallied, and on May 11, 1784, his soul took its flight, while nought was left to his followers but the consolation that

"Death's but a path that must be trod,
If man would ever pass to God."

The funeral took place, but the venerable prelate was too enfeebled to attend; he, however, accompanied Don Pedro Fages, the Governor of the Territory, to the dedicatory services of the mission, arriving on the 15th. On the meeting of the two Fathers their hearts were too full to speak; with eyes suffused in tears, they grasped each others hands, and finally in a long, silent embrace, each sent aloft a prayer to Him who had seen fit in His wisdom to take away their revered brother.

On May 16, 1784, the ceremony of dedication took place, there being assembled to witness the imposing scene the troops, many citizens, and a large number of unchristianized Indians, while on the succeeding Sunday, mass was chanted by the aged priest in a solemn and impressive manner. On that day he held his confirmation. Father Murguia was succeeded by Friar Diego Noba, a supernumary from Monterey.

The venerable Junipero Serra, the founder of the missions which were the first settlements of civilized man in California, was a native of one of the Balearic Islands, having been born in Majorca, part of the kingdom of Spain, November 24, 1713. At the age of sixteen he became a Monk of the Order



Wm. A. King

of St. Francis, and the new designation of Junipero was then substituted for his baptismal name of Miguel José.

After entering the convent he went through a collegiate course of study, and before he had received the degree of Doctor, was appointed lecturer upon philosophy. He became a noted preacher, and was frequently invited to visit the larger towns of his native island in that capacity. Junipero was thirty-six years of age when he determined to become a missionary in the New World. In 1749, he crossed the ocean in company with a number of brother Franciscan Monks, among them several who afterwards came with him to California. He remained but a short time in the City of Mexico, and was soon sent a missionary to the Indians of the Sierra Madre, in the district now known as the State of San Luis Potosi. He spent nine years there, and then returned to the City of Mexico, where he stayed for seven years in the Convent of San Fernando.

In 1767, when he was fifty-four years of age, he was appointed to the charge of the missions to be established in Upper California. He arrived at San Diego in 1769, and there passed most of his life. He died at the Mission of Carmel, near Monterey, August 28, 1784, in the same year of his dedicating the Santa Clara Mission, aged seventy-one years.

We will now for a moment glance at the mode of construction of these establishments. Father Gleeson tells us in his able "History of the Catholic Church in California," that the missions were usually quadrilateral buildings, two stories high, inclosing a courtyard ornamented with fountains and trees. The whole consisting of the church, Fathers' apartments, store-houses, barracks, etc. The quadrilateral sides were each about six hundred feet in length, one of which was partly occupied by the church. Within the quadrangle and corresponding with the second story, was a gallery running round the entire structure, and opening upon the workshops, store-rooms and other apartments.

The entire management of each establishment was under the care of two Religious; the elder attended to the interior and the younger to the exterior administration. One portion of the building, which was called the monastery, was inhabited by the young Indian girls. There, under the care of approved matrons, they were carefully trained and instructed in those branches necessary for their condition in life. They were not permitted to leave till of an age to be married, and this with a view of preserving their morality. In the schools, those who exhibited more talent than their companions, were taught vocal and instrumental music, the latter consisting of the flute, horn and violin. In the mechanical departments, too, the most apt were promoted to the position of foremen. The better to preserve the morals of all, none of the whites, except those absolutely necessary, were employed at the mission.

The daily routine at each establishment was almost the same as that followed by the Jesuits in Lower California. At sunrise they arose and proceeded to church, where, after morning prayer, they assisted at the holy sacrifice of the mass. Breakfast next followed, when they proceeded to their respective employments. Toward noon they returned to the mission, and spent the time from then till two o'clock between dinner and repose; after which they again repaired to their work, and remained engaged till the even angelus, about an hour before sundown. All then betook themselves to the church for evening devotions, which consisted of the ordinary family prayers and the rosary, except on special occasions, when other devotional exercises were added. After supper, which immediately followed, they amused themselves in divers sports, games and dancing, till the hour for repose. Their diet, of which the poor of any country might be justly envious, consisted of an abundance of excellent beef and mutton, with vegetables in the season. Wheaten cakes and puddings, or porridges, called "atole and pinole," also formed a portion of the repast. The dress was, for the males, linen shirts, pants, and a blanket to be used as an overcoat. The women received each, annually, two undergarments, a gown, and a blanket. In years of plenty, after the the missions became rich, the Fathers distributed all the surplus moneys among them in clothing and trinkets. Such was the general character of the early missions established in Upper California.

The foregoing remarks point to missions generally. The only account of the Santa Clara Mission that is attainable is that of the distinguished traveler, Captain Vancouver, who visited it in the latter end of 1792. He observes: "Soon after dark we reached Santa Clara Mission (from San Francisco). Our journey, except through the morass, had been pleasant and entertaining, and our reception at Santa Clara by the hospitable Fathers of the mission, was such as excited in every breast the most lively sensations of gratitude and regard. Father Tomas de la Peña appeared to be the principal of the missionaries. The anxious solicitude of this gentleman, and of his colleague, Father Joseph Sanchez, to anticipate all our wishes, unequivocally manifested the principles by which their conduct was regulated.

"The buildings and offices of the mission, like those of San Francisco, form a square, but not an entire inclosure. It is situated in an extensive, fertile plain, the soil of which, as also that of the surrounding country, is a rich, black, productive mold, superior to any I had before seen in America.

"The church was long and lofty, and as well built as the rude materials of which it is composed, would allow, and compared with the unimproved state of the country, was infinitely more decorated than might have been reasonably expected.

"Apartments, within the square in which priests resided, were appropriated

a number of young female Indians, and the like reasons were given as at San Francisco, for their being so selected and educated. Their occupations were the same, though some of their woolen manufactures surpassed those we had seen before, and wanted only the operation of fulling, with which the Fathers were unacquainted, to make them very decent blankets. The upper story of their interior oblong square, which might be one hundred and seventy feet long, and one hundred broad, was made use of as granaries, as were some of the lower rooms; all of which were well stored with corn and pulse of different sorts; and, besides these, in case of fire, there were two spacious warehouses for the reception of grain, detached from each other and the rest of the buildings, erected at a convenient distance from the mission. These had been recently furnished, contained some stores, and were to be kept constantly full, as a reservoir in the event of such a misfortune.

"The maize, peas and beans, are sown in the Spring months, and succeed extremely well, as do hemp and flax, or linseed. The wheat affords, in general, from twenty-five to thirty for one, according to the season, twenty-five for one being the least return from their fields, notwithstanding the enormous waste occasioned by their rude method of threshing, which is performed in the open air by the treading of cattle. Neither barley nor oats were cultivated. As the superior grains could be cultivated with the same labor that the inferior ones could, they had sometime ago declined the cultivation of them.

"Here were planted peaches, apricots, apples, pears, figs and vines, all of which, except the latter, promised to succeed well. The failure of the vine here, as well as at San Francisco, is ascribed to a want of knowledge in their culture, the soil and climate being well adapted to some sorts of fruits. The priests had a guard of a corporal and six soldiers."

Let us leave the worthy Fathers at Santa Clara for a time, and observe the second settlement in the county—that of the Pueblo de San José de Guadalupe.

Don Felipe de Neve, the third Spanish Governor of California, commenced his administration in December, 1774, and continued in that position till September, 1782. Among the chief duties of his office were the making of official reports to the Central Government, through the Viceroy in Mexico concerning the condition of the province, and the choosing of suitable sites for the location of settlements. On June 3, 1777, he suggested the establishment of three of these, one of them being on the bank of the river Guadalupe, seventy-eight miles from Monterey, forty-eight from the presidio at San Francisco, and two miles and a quarter from the Mission of Santa Clara. In the course of time Lieutenant Don José de Moraga, commanding at San Francisco, was directed to detach nine soldiers, of known agricultural skill, two settlers, and three laborers, to form a settlement on the

margin of that stream, which they effected November 29, 1777 (though Father Palou says the date was November 7th), and gave to it the name of San José de Guadalupe, the approval from Spain being dated March 6, 1779.

On December 24, 1782, during the *regime* of Governor Don Pedro Fages the same Lieutenant Moraga was ordered to partition off the lands to the settlers, a duty he effected between the 13th and 19th of May, 1783; the recipients of land being Ignacio Archuleta, Manuel Gonzales, José Tiburcio Vasquez, Manuel Amesquita, Antonio Romero, Bernardo Rosales, Francisco Avila, Sebastian Alvitre, and Claudio Alvires. The relative position of each man's land will be found described in our chapter on San José township.

This first location was made nearly a mile and a quarter from the center of the present city—about where the first bridge spans a little stream on the road to Alviso. The ground was too low at this point, and these early residents were the victims of yearly recurring floods, and thieving Indians; therefore permission was asked to remove to higher land and a more advantageous site. It takes long, however, to move the wheels of official machinery. In the year 1785, the question of transfer was mooted; it was not until 1797, that the removal was accomplished—the center of the new site being near the corner of Market and San Fernando streets in the city of San José.

Before proceeding farther with our narrative of events, it may be well to give to the reader some insight into the appearance of our beautiful valley in those early times.

The visit of Captain Vancouver in 1792, has been already alluded to. His journey from San Francisco he thus describes: "We considered our course parallel to the sea-coast; between which and our path the ridge of mountains extended to the south-eastward; and as we advanced, their sides and summits exhibited a high degree of luxuriant fertility, interspersed with copses of various forms and magnitude, and verdant open spaces encircled with stately fruit trees of different descriptions. About noon we arrived at a very pleasant and enchanting lawn, situated amid a grove of trees at the foot of a small hill, by which flowed a very fine stream of excellent water. We had not proceeded far from this delightful spot, when we entered a country I little expected to find in these regions. For almost twenty miles it could be compared to a park which had originally been planted with the true old English oak; the underwood, that had probably attained its early growth, had the appearance of having been cleared away, and had left the stately lords of the forests in complete possession of the soil, which was covered with luxuriant herbage, and beautifully diversified with pleasing eminences and valleys, which, with the lofty range of mountains that bounded the prospect, required only to be adorned with neat habitations of

an industrious people to produce a scene not inferior to the most studied effect of taste in the disposal of grounds."

The native tribe which roamed the then valley of San Bernardino, now known as Santa Clara, were the Olhones, sometimes called the Costanes, who were worshipers of the sun, and believed in an evil spirit who took cognizance of their actions, whom they were wont to propitiate. They had some very crude ideas as to a future state, while their traditions, if they had any, were of the most meager kind. When a member died they decorated the corpse with feathers, flowers, and beads, along with a bow and arrows, the body being extended on a pile and cremated, amid shouts and propitiatory exclamations.

The tribes in this valley were usually severalized by the rancherias in which they dwelt, while all of them made use of the *temescal*. This structure was an adobe oven with a hole at the top to let out the smoke, and one at the side to let in the people, many of whom, as a rule, entered at one time in *puris naturalibus*. Here they lit a fire near to the entrance, adding fuel as it smoldered, until at last the heat was unbearable, when suddenly they would plunge into the convenient river, for these buildings were always erected on the bank of a running stream. Superstition wrapped these savages like a cloud, from which they never emerged. The phenomena of nature on every hand, indeed, taught them that there was some unseen cause for all things—some power which they could neither comprehend nor resist. The volcano and the earthquake taught them this, and many accounts of these in past ages are preserved in their legends; but farther than this, their minds could not penetrate.

Mr. Hall, says: "Nearly all of the Indians in this region, and those of Santa Cruz, were in the habit of visiting the hill in which the New Almaden Mine was first opened and worked, to obtain red paint to adorn their faces and bodies. The cinnabar is of a reddish hue, and when moistened and rubbed, easily produces a red pigment, highly esteemed by the savages in the arrangement of their toilet. While the color of their decoration was pleasing to their eyes, its effect on their system was by no means agreeable. It salivated them—a result as mysterious and unexplained to them as the setting of the sun. Although a little painful, they seemingly forgot their illness as they witnessed the lustre of their skin, and were as resolute in their pride of dress as the proud damsel groaning in tight corsets and tight shoes."

In following the chronological order of events, perhaps it would be proper here to mention the foundation of the Mission of San José, although it no longer forms a part of Santa Clara county, but of Alameda. It was established June 11, 1798, while Diego de Borica was Governor of the Territory. The site chosen was ten miles to the north of the Pueblo de San José, and forty to the east of San Francisco, on a plateau indenting the Contra Costa

range, and facing the southern extremity of the Bay of San Francisco. Behind it were the beautiful Calaveras and Suñol valleys. Mission Peak rose immediately in its rear like a giant sentinel indexing its location, while in its vicinity nature had abundantly supplied every want. Here was a pellucid stream of sweetest water perennially running from never-failing springs; here too were the paramount advantages of climate; wood was abundant; pasturage was luxuriant; killing frosts were unknown; an embarcadero was not far distant; and within an hour's walk were warm springs, possessed of the potent healing quantities. What more was needed?

They who had charge of the foundation of the Mission San José were Friar Ysidro Barcilano and Augustine Merin. At first the chapel was a small adobe edifice, which was extended seven varas, in the second year of its existence. A wall forty-seven varas long, four high, and six wide, thatched with tules was constructed, water flumes laid, and, being in the presidial jurisdiction of San Francisco, soldiers were sent from there to keep guard over it, and to bring in the natives for education.

Who has not heard of the Alameda, that renowned grove, or avenue of trees, that to-day links the two towns of San José and Santa Clara, but which were planted eighty-two years ago to protect the wayfarer journeying between the pueblo and the mission. In the year 1799, these trees were started by Father Maguin de Catala, who employed, it is said, two hundred Indians to perform the work, to attend upon them, and protect them from nibbling goats and browsing cattle. The eastern limit of the grove was at the Guadalupe, but the march of progress necessitated the removal of some of the trees, in order to make way for houses and streets. From the depot of the South Pacific Coast Railroad to Santa Clara, there still remains sufficient of its glories and its usefulness to make the pedestrian feel an inward thankfulness that the foresight of a Christian gentleman, in the expiring year of the last century, should have done such thoughtful good for the benighted and uncultivated savages who then peopled the valley, and the little more enlightened Mexicans, who had settled near the mission. Since the planting of these trees, what events have occurred; what acts committed, and deeds done! Continents have been shaken to their centers; empires have been dashed into nothingness; and a mighty nation has arisen where there then were but a few colonists in a far-away section of a vast territory. Aye, how the aspect of civilized mankind has been changed! The world has been surrounded by a belt of wire, along which flashes, in defiance of space and time, messages that speak with a correctness as if heard from the human voice; an iron bridge has been laid that binds the rock-bound coast of the tempestuous Atlantic with the fertile slopes of the "Peaceful Sea;" steam, that annihilator of distance, has peopled worlds where formerly roamed the beasts of prey; science has enlightened their inhabitants beyond the most

vivid conception; and commerce has planted cities on sea-coast, lake and rivers, where the product of effective labor is borne to every clime and country, and responsive mountain and valley pour forth their wealth of metals, where naught erst a while were found but lion, bear and panther. Oh, were these trees able to talk, what a chapter they could relate, what experiences of the past they could narrate. Let us not attempt to put action in their crooked limbs, nor speed into their gnarled trunks, rather do we leave it to the imagination of the contemplative reader to picture the scenes which have been enacted beneath their umbrageous boughs, not only in by-gone days, but in the present, when the fashionable world is abroad, and the evening shades countenance the Byronic couplet, that

"Soft love looked love to eyes which spake again,
And all went merry as a marriage bell."

Let us now, for a moment, turn to the Santa Clara Mission. The original Mission of Santa Clara stood near where now are erected the stations of the Southern Pacific and South Pacific Coast Railroads in that city. Its walls were cracked by an earthquake in the year 1812, but no portion of it fell at that time. In 1822, however, another and more severe shock caused so much injury to the building, that, though it was not thrown down, the damage done was so great that it became necessary to take it down, rather than that any attempt should be made to repair it. A site for a new mission was chosen a few hundred yards to the south-west, and in 1825-6, the present mission church was completed. Of late years, so great had been the decay, it became necessary to encase its walls, while, during the work of renovation, the front façade was remodeled, and two towers substituted for the single tower, which, in the first instance, was the only ornamentation which the edifice boasted. This served the purpose of a lookout. The face of the structure was painted in a rude fashion with biblical scenes intended to attract the eye of the aboriginal, while within were like *tableaux* and allegorical pictures. Time has sped along with unswerving strides, yet no change has been worked in the interior embellishments. What has been effected needs no comment at our poor hands; the magnificent college adjoining it is the best exponent of its unerring progress.

We will now glance at the state of the mission in the early part of the present century. In the year 1767, the property possessed by the Jesuits, then known as the Pious Fund, was taken charge of by the Government, and used for the benefit of the missions. At that time this possession yielded an annual revenue of fifty thousand dollars, twenty-four thousand of which were expended in the stipends of the Franciscan and Dominican missionaries, and the balance for the maintenance of the missions generally. Father Gleeson says: "The first inroad made on these pious donations was about the year 1806, when to relieve the national wants of the

present country, caused by the wars of 1801 and 1804, between Portugal in the one instance and Great Britain in the other, His Majesty's fiscal at Mexico scrupled not to confiscate, and remit to the authorities in Spain, as much as two hundred thousand dollars of the Pious Fund." By this means the missions were deprived of most substantial aid, and the Fathers left upon their own resources; add to these difficulties the unsettled state of the country between the years 1811 and 1831, and still their work was never stayed. To demonstrate this let us here state that between the years 1802 and 1822, in all the eighteen missions which then existed in California, there were: baptized, seventy-four thousand six hundred and twenty-one Indians; twenty thousand four hundred and twelve were married; *forty-seven thousand nine hundred and twenty-five died*; and there were twenty thousand nine hundred and fifty-eight existing. Of these, seven thousand three hundred and twenty-four were baptized in the Santa Clara Mission; two thousand and fifty-six were married; six thousand five hundred and sixty-five had succumbed—the greater number to disease; and one thousand three hundred and ninety-four were existing.

Of what nature was this plague it is hard to establish; the missionaries themselves could assign no cause. Syphilis, measles and small-pox carried off numbers, and these diseases were generated, in all probability, by a sudden change in their lives from a free, wandering existence to a state of settled quietude.

Father Gleeson, in his valuable work, says: "In 1813, when the contest for national independence was being waged on Mexican territory, the Cortes of Spain resolved upon dispensing with the services of the Fathers, by placing the missions in the hands of the secular clergy. The professed object of this secularization scheme was, indeed, the welfare of the Indians and colonists; but how little this accorded with the real intentions of the Government, is seen from the seventh section of the decree by the Cortes, wherein it is stated that one-half of the land was to be hypothecated for the payment of the National Debt. The decree ordering this commences as follows: 'The Cortes, general and extraordinary, considering that the reduction of common land to private property is one of the measures most imperiously demanded for the welfare of the pueblos, and the improvement of agriculture and industry, and wishing at the same time to derive from this class of land *aid to relieve the public necessities*, a reward to the worthy defenders of the country and relief to the citizens not proprietors, decree, etc., without prejudice to the foregoing provisions one-half of the vacant land and lands belonging to the royal patrimony of the monarchy, except the suburbs of the pueblos, is hereby reserved, to be in whole or in part, as may be deemed necessary, hypothecated for the *payment of the National Debt*,' etc.

"This decree of the Government was not carried out at the time, yet it

had its effect on the state and well-being of the missions in general. It could not be expected that with such a resolution under their eyes, the Fathers would be as zealous in developing the natural resources of the country as before, seeing that the result of their labors was at any moment liable to be seized on by Government, and handed over to strangers. The insecurity thus created naturally acted upon the converts in turn, for when it became apparent that the authority of the missionaries was more nominal than real, a spirit of opposition and independence on the part of some of the people was the natural result. Even before this determination had been come to on the part of the Government, there were not wanting evidences of an evil disposition on the part of the people; for as early as 1803 one of the missions had become the scene of a revolt; and earlier still, as we learn from an unpublished correspondence of the Fathers, it was not unusual for some of the converts to abandon the missions and return to their former wandering life. It was customary on those occasions to pursue the deserters, and compel them to return. * * * * *

"Meantime, the internal state of the missions was becoming more and more complex and disordered. The desertions were more frequent and numerous, the hostility of the unconverted more daring, and the general disposition of the people inclined to revolt. American traders and freebooters had entered the country, spread themselves all over the province, and sowed the seeds of discord and revolt among the inhabitants. Many of the more reckless and evil-minded readily listened to their suggestions, adopted their counsels, and broke out into open hostilities. Their hostile attack was first directed against the Mission of Santa Cruz, which they captured and plundered, when they directed their course to Monterey, and, in common with their American friends, attacked and plundered that place. From these and other like occurrences, it was clear that the condition of the missions was one of the greatest peril. The spirit of discord had spread among the people, hostility to the authority of the Fathers had become common, while desertion from the villages was of frequent and almost constant occurrence. To remedy this unpleasant state of affairs, the military then in the country was entirely inadequate, and so matters continued, with little or no difference, till 1824, when by the action of the Mexican Government, the missions began rapidly to decline.

"Two years after Mexico had been formed into a republic, the Government authorities began to interfere with the rights of the Fathers and the existing state of affairs. In 1826, instructions were forwarded by the Federal Government to the authorities of California for the liberation of the Indians. This was followed a few years later by another act of the Legislature, ordering the whole of the missions to be secularized and the Religious to withdraw. The ostensible object assigned by the authors of the

measure, was the execution of the original plan formed by Government. The missions, it was alleged, were never intended to be permanent establishments; they were to give way in the course of some years to the regular ecclesiastical system, when the people would be formed into parishes, attended by a secular clergy." * * * * *

"Beneath these specious pretexts," says Dwinelle in his Colonial History, "was undoubtedly, a perfect understanding between the Government at Mexico and the leading men in California, and in such a condition of things the Supreme Government might absorb the pious fund, under the pretense that it was no longer necessary for missionary purposes, and thus had reverted to the State as a *quasi* escheat, while the co-actors in California should appropriate the local wealth of the missions, by the rapid and sure process of administering their temporalities." And again: "These laws (the secularization laws), whose ostensible purpose was to convert the missionary establishments into Indian pueblos, their churches into parish churches, and to elevate the Christianized Indians to the rank of citizens, were, after all, executed in such a manner that the so-called secularization of the missions *resulted only in their plunder* and complete ruin, and in the demoralization and dispersion of the Christianized Indians."

Immediately on the receipt of the decree, the then acting Governor of California, Don José Figueroa, commenced the carrying out of its provisions, to which end he prepared certain provisional rules, and in accordance therewith the alteration in the missionary system was begun, to be immediately followed by the absolute ruin of both missions and country. Within a very few years the exertions of the Fathers were entirely destroyed; the lands which had hitherto teemed with abundance, were handed over to the Indians, to be by them neglected and permitted to return to their primitive wildness, and the thousands of cattle were divided among the people and the administrators for the personal benefit of either.

Let us now briefly follow Father Gleeson in his contrast of the state of the people before and after secularization. He says: "It has been stated already that in 1822 the entire number of Indians then inhabiting the different missions, amounted to twenty thousand and upwards. To these others were being constantly added, even during these years of political strife which immediately preceded the independence of Mexico, until, in 1836, the numbers amounted to thirty thousand and more. Provided with all the necessities and comforts of life, instructed in everything requisite for their state in society, and devoutly trained in the duties and requirements of religion, these thirty thousand Californian converts led a peaceful, happy, contented life, strangers to those cares, troubles and anxieties common to higher and more civilized conditions of life. At the same time that their religious condition was one of thankfulness and grateful satisfaction to the Fathers, their

worldly position was one of unrivaled abundance and prosperity. Divided between the different missions from St. Lucas to San Francisco, close upon one million of live-stock belonged to the people. Of these four hundred thousand were horned cattle, sixty thousand horses and more than three hundred thousand sheep, goats and swine. The united annual return of the cereals, consisting of wheat, maize, beans and the like, was upwards of one hundred and twenty thousand bushels; while at the same time throughout the different missions, the preparation and manufacture of soap, leather, wine, brandy, hides, wool, oil, cotton, hemp, linen, tobacco, salt and soda, was largely and extensively cultivated. And to such perfection were these articles brought, that some of them were eagerly sought for and purchased in the principal cities of Europe.

"The material prosperity of the country was further increased by an annual revenue of about one million of dollars, the net proceeds of the hides and tallow of one hundred thousand oxen slaughtered annually at the different missions. Another hundred thousand were slaughtered by the settlers for their own private advantage. The revenues on the articles of which there are no specific returns, is also supposed to have averaged another million dollars, which, when added to the foregoing, makes the annual revenue of the California Catholic missions, at the time of their supremacy, between two and three million dollars. Independent of these, there were the rich and extensive gardens and orchards attached to the missions, exquisitely ornamented and enriched, in many instances, with a great variety of European and tropical fruit trees, plums, bananas, oranges, olives and figs; added to which were the numerous and fertile vineyards, rivaling in the quantity and quality of the grape those of the old countries of Europe, and all used for the comfort and maintenance of the natives. In a word, the happy results, both spiritual and temporal, produced in Upper California by the spiritual children of St. Francis, during the sixty years of their missionary career, were such as have rarely been equalled and never surpassed in modern times. In a country naturally salubrious, and it must be admitted fertile beyond many parts of the world, yet presenting at the outset numerous obstacles to the labors of the missionary, the Fathers succeeded in establishing at regular distances along the coast as many as one-and-twenty missionary establishments. Into these holy retreats their zeal and ability enabled them to gather the whole of the indigenous race, with the exception of a few wandering tribes who, it is only reasonable to suppose, would also have followed the example of their brethren, had not the labors of the Fathers been dispensed with by the civil authorities. There, in those peaceful, happy abodes, abounding in more than the ordinary enjoyment of things, spiritual and temporal, thirty thousand faithful, simple-hearted Indians passed their days in the practice of virtue and the improvement of

the country. From a wandering, savage, uncultivated race, unconscious well of the God who created them as the end for which they were in they became, after the advent of the Fathers, a civilized, domestic, Christian people, whose morals were as pure as their lives were simple. Daily attendance at the holy sacrifice of the mass, morning and night prayer, confession and communion at stated times—the true worship, in a word, of the Deity succeeded the listless, aimless life, the rude pagan games and the idle amours. The plains and valleys, which for centuries lay uncultivated and unproductive, now teemed under an abundance of every species of corn; hills and plains were covered with stock; the fig tree, the olive and the vine yielded their rich abundance, while lying in the harbors, waiting to carry to foreign markets the rich products of the country, might be seen numerous vessels from different parts of the world. Such was the happy and prosperous condition of the country under the missionary rule; and with this reader is requested to contrast the condition of the people after the removal of the Religious, and the transfer of power to the secular authorities.

"In 1833, the decree for the liberation of the Indians was passed by the Mexican Congress, and put in force in the following year. The dispersion and demoralization of the people was the immediate result. Within a few years after the execution of the decree, the number of Christians diminished from thirty thousand six hundred and fifty to four thousand four hundred and fifty! Some of the missions, which in 1834 had as many as one thousand five hundred souls, numbered only a few hundred in 1842. The missions of San Rafael and San Francisco Solano decreased respectively within this period from one thousand two hundred and fifty and one thousand three hundred, to twenty and seventy! A like diminution was observed in the cattle and general products of the country. Of the eight hundred and eighty thousand head of live-stock belonging to the missions at the close of the above mentioned period, only sixty-three thousand and twenty remained in 1842. The diminution in the cereals was equally striking; it fell from seven thousand to four thousand hectolitres. * * * By descending to particular instances this (the advantage of the Religious over the civil administration) becomes even more manifest still. At one period during the supremacy of the Fathers, the principal mission of the country (San Diego), produced much as six thousand *fanegas* of wheat, and an equal quantity of maize; but in 1842 the return for this mission was only eighteen hundred *fanegas* in all."

In 1823, the Mission of Santa Clara branded twenty-two thousand five hundred calves as the increase of that year; while in 1825 the mission reported to have owned seventy-four thousand two hundred and eighty head of cattle, four hundred and seven yoke of working oxen, eighty-two thousand five hundred and forty sheep, one thousand eight hundred and ninety

horses broken to the saddle, four thousand two hundred and thirty-five breeding mares, seven hundred and twenty-five mules, and one thousand hogs. In 1834, at the time of the secularization of the missions, the number of Indians belonging to the Santa Clara Mission was eighteen hundred. In 1842, there were but four hundred. In a like manner did everything decrease. In 1842, there were but fifteen hundred head of cattle, two hundred and fifty horses, and three thousand swine.

That the Fathers who had charge of the missions in Upper California, before the advent of the Americans, paid strict attention to the duty of Christianizing the native race, is evidenced by documents still in existence. The following report and order, dated Monterey, May 6, 1804, though belonging to the chronicles of an adjoining county, is now produced to show the stringency with which religious observances were carried out: "In accordance with the rules made by the Governor, requiring a monthly report from the Commissioner of Branciforte, showing who of the colonists and residents do or do not comply with their religious duties, the official report for the month of April, 1804, certified by the reverend minister, has reached its destination. The Indian, Toribio, at some time past was derelict, but now has been brought to a proper sense of the requirements of a Christian era, and is absolved from further stricture upon his failures and the reverend Fathers are to be so notified. The rebellious Ignacio Acedo, for failure to comport himself outwardly as a devotee, is to be arrested and turned over to the church authorities, where flagellation and confinement in the stocks will cause him to pay a proper respect, and to be obedient to the precepts and commandments of the church, of which he has been a contumacious member. The Governor is to be informed of the punishment to which Acedo will be sentenced, and requires the information in writing, that it may be used by him, if he requires it, as an example of what those under his command may expect should they fail in the observance of the requirements of the church." Then follows Government Order No. 29, signed by José M. Estudillo, Secretary of José J. de Arrillaga, Military Commander of Alta California, and which is to this effect: "I am in receipt of the list, certified by the reverend minister of the Mission of Santa Cruz, of those who have observed the rules of religion, in having confessed and received the sacrament. The Indian, Toribio, has complied herewith, having done both, and I will send word to such effect to the Fathers. You will cause Ignacio Acedo to be arrested, and notify the reverend Fathers, when you have done so, that they may do with him as they think proper, and inform me what the pastors of the church do to its members who fail to conform to the precepts of the holy religion, and have the reverend Fathers put it in writing. May God protect you many years." The order is addressed to the Commissioner of the village of Branciforte.

In its early day the whole military force in Upper California did not number more than from two to three hundred men, divided between the four presidios of San Diego, Santa Barbara, Monterey, and San Francisco, while there were but two towns, or pueblos, Los Angeles and San José. Another was subsequently started in the neighborhood of Santa Cruz, which was named Branciforte, after a Spanish Viceroy. It may be conjectured that the garrisons were not maintained in a very effective condition. Such a supposition would be correct, for everywhere betokened the disuse of arms and the long absence of an enemy. The cannon of the presidio at San Francisco were grey with mould, and women and children were to be seen snugly located within the military lines. The soldiers of the San Francisco district were divided into three cantonments—one at the presidio, one at Santa Clara Mission, and one at the Mission of San José. We here append a list of the soldiers connected with the presidio in the year 1790, which has been copied from the Spanish archives in San Francisco. Here will be found the names, positions, nativity, color, race, age, etc., of the soldiers, as well as those of their wives, when married:—

Don Josef Arguello, Commandante, age 39.

Don Ramon Laro de la Neda, Alferez de Campo, age 34.

Pedro Amador, Sergeant, Spaniard, from Guadalajara, age 51; wife, Ramono Noriega, Spanish, aged 30; 7 children.

Nicolas Galindo, mestizo, Durango, 42.

Majio Chavoya, City of Mexico, 34; wife, a Bernal.

Miguel Pacheco, 36; wife, a Sanchez.

Luis Maria Peralta, Spaniard, Sonora, 32; wife, Mario Loretta Alviso, 19.

Justa Altamarino, mulatto, Sonora, 45.

Ygnacio Limaxes, Sonora, 49; wife, Maria Gertruda Rivas, Spaniard, 38.

Ygnacio Soto, 41; wife, Barbara Espinoza.

Juan Bernal, mestizo, Sonora, 53; wife, Maxima I de Soto.

Jph Maria Martinez, Sonora, 35; wife Maria Garcia, mulatto, 18.

Salvador Iguera, L. C., 38; wife, Alexa Marinda, Sonora, 38.

Nicolas Berreyessa, mestizo, 25; wife, Maria Gertrudis Peralta, 24.

Pedro Peralta, Sonora, 26; wife, Maria Carmen Grisalva, 19.

Ygnacio Pacheco, Sonora, 30; wife, Maria Dolores Cantua, mestizo, age 16.

Francisco Bernal, Sinaloa, 27; wife, Maria Petrona, Indian, 29.

Bartolo Pacheco, Sonora, 25; wife, Maria Francisco Soto, 18.

Apolinario Bernal, Sonora, 25.

Joaquin Bernal, Sonora, 28; wife, Josefa Sanchez, 21.

Josef Aceva, Durango, 26.

Manuel Boranda, Guadalajara, 40; wife, Gertrudis Higuera, 13.

Francisco Valencia, Sonora, 22; wife, Maria Victoria Higuera, 15.

Josef Antonio Sanchez, Guadalajara, 39; wife, Maria Dolora Moxales, 34.

Josef Ortiz, Guadalajara, 23.
 Josef Aguila, Guadalajara, 22; wife, Concellaria Remixa, 14.
 Alexandro Avisto, Durango, 23.
 Juan Josef Higuera, Sonora, 20.
 Francisco Flores, Guadalajara, 20.
 Josef Maria Castilla, Guadalajara, 19.
 Ygnacio Higuera, Sonora, 23; wife, Maria Micaelo Borjorques, 28.
 Ramon Linare, Sonora, 19.
 Josef Miguel Saens, Sonora, 18.
 Carto Serviente, San Diego, Indian, 60.
 Augustin Xirviento, L. C. 20. ~
 Nicolas Presidairo, Indian, 40.
 Gabriel Peralta, invalid, Sonora.
 Manuel Vutron, invalid, Indian.
 Ramon Borjorques, invalid, 98.
 Francisco Remero, invalid, 52.

A recapitulation shows that the inmates of the presidio consisted altogether of one hundred and forty-four persons, including men, women and children, soldiers and civilians. There were thirty-eight soldiers and three laborers. Of these one was an European, other than Spanish, seventy-eight Spaniards, five Indians, two mulattoes, and forty-four of other castes.

An inventory of the rich men of the presidio, bearing date 1793, was discovered some years since, showing that Pedro Amador was the proprietor of thirteen head of stock and fifty-two sheep; Nicolas Galindo, ten head of stock; Luis Peralta, two head of stock; Manuel Boranda, three head of stock; Juan Bernal, twenty-three head of stock and two hundred and forty-six sheep; Salvador Youere, three head of stock; Aleso Miranda, fifteen head of stock; Pedro Peralta, two head of stock; Francisco Bernal, sixteen head of stock; Bartol Pacheco, seven head of stock: Joaquin Bernal, eight head of stock; Francisco Valencia, two head of stock; Berancia Galindo, six head of stock; Hermenes Sal (who appears to have been a secretary, or something besides a soldier), five head of stock and three mares. Computing these we find the total amount of stock owned by these men were one hundred and fifteen cattle, two hundred and ninety-eight sheep and seventeen mares.

Prior to considering the American Occupation of California it will be as well to introduce the reader to a few of the characteristics, manners, customs and mode of living pursued by the native Californians.

These were a half-caste race, between the white Castillian and the native Indian, very few of the families retaining the pure blood of old Castile; they were consequently of all shades of color, and developed, the women especially, into a handsome and comely race. Their wants were few and

easily supplied; they were contented and happy; the women were virtuous and great devotees to their church and religion; while the men in their normal condition were kind and hospitable, but when excited they became rash, fearless, yet cruel, with no dread for knife nor pistol. Their generosity was great, everything they had being at the disposal of a friend, or even a stranger; while socially they loved pleasure, spending most of their time in music and dancing, indeed such was their passion for the latter, that their horses have been trained to curvet in time to the tones of the guitar. When not sleeping, eating, or dancing, the men passed most of their time in the saddle, and naturally were very expert equestrians; horse-racing was with them a daily occurrence, not for the gain which it might bring, but for the amusement to be derived therefrom, and to throw a dollar upon the ground, ride by at full gallop and pick it up was a feat that almost any of them could perform.

Horses and cattle gave them their chief occupation. They could use the riata or lasso with the utmost dexterity; whenever thrown at a bullock horseman, or bear, it rarely missed its mark. The riata in the hands of a Californian was a more dangerous weapon than gun or pistol, while to catch a wild cow with it, throw her and tie her, without dismounting, was most common, and to go through the same performance with a bear was not considered extraordinary. Their only articles of export were hides and tallow, the value of the former being one dollar and a half in cash, and two in goods, and the latter three cents per pound in barter. Young heifers of two years old, for breeding purposes, were worth three dollars; a fat steer, delivered in the Pueblo of San José, brought fifty cents more, while it was considered neither trespass nor larceny to kill a beeve, use the flesh, and hang the hide and tallow on a tree, secure from coyotes, where it could be found by the owner.

Lands outside of the towns were only valuable for grazing purposes. For this use every citizen of good character, having cattle, could, for the asking, and by paying a fee to the officials, and a tax upon the paper on which it was written, get a grant for a grazing tract of from one to eleven square leagues of land. These domains were called Ranchos, the only improvements on them being usually a house and a corral. They were never inclosed; they were never surveyed, but extended from one well defined landmark to another, and whether they contained two or three leagues, more or less, was regarded as a matter of no consequence, for the land itself was of no value to the Government.

It was not necessary for a man to keep his cattle on his own land. They were ear-marked and branded when young, and these established their ownership. The stock roamed whithersoever they wished, the ranchero sometimes finding his animals fifty or sixty miles away from his grounds.



T. R. Thomas

About the middle of March commenced the "Rodeo" season, which was fixed in advance by the *ranchero*, who would send notice to his neighbors, for leagues around, when all, with their *vaqueros*, would attend and participate. The rodeo was the gathering in one locality of all the cattle on the rancho. When this was accomplished, the next operation was for each *ranchero* present to part out from the general herd all animals bearing his brand and ear-mark and take them off to his own rancho. In doing this they were allowed to take all calves that followed their mothers, what was left in the rodeo belonging to the owner of the rancho, who had them marked as his property. On some of the ranchos the number of calves branded and marked each year appears to us at this date to have been enormous, Joaquin Bernal, who owned the Santa Teresa Rancho, eight miles south of San José, having been in the habit of branding not less than five thousand head yearly. In this work a great many horses were employed. Fifty head was a small number for a *ranchero* to own, while they frequently had from five to six hundred trained animals, principally geldings, for the mares were kept exclusively for breeding purposes. The latter were worth a dollar and a half per head; the price of saddle horses was from two dollars and fifty cents to twelve dollars each.

In the month of December, 1865, a writer under the caption of "Yadnus," thus writes to the *San José Mercury*:—

"Not many years ago, in the agricultural counties, or, as they are more elegantly termed, in the parlor language of California, 'Cow Counties,' prevailed to a great extent the custom which has given rise to the following rough verses. Until the heavy floods and severe weather of the memorable Winter of 1861, had more than decimated their herds, it was the practice (in accordance with law, I believe), for the wealthy *rancheros*—men who counted their cattle, when they counted them at all—by the thousands, to hold, twice a year, rodeo (*rodere*), to which all who owned stock within a circuit of fifty miles repaired, with their friends, and often their families. At the appointed time, the cattle, for many leagues around, were gathered up by the horsemen, or *vaqueros* (*buckaros*), of the different stockmen, and driven into a large corral, where the branding, marking and claiming of stock occupied sometimes a week. At the largest rodeo I ever witnessed, there were gathered together some thirty thousand head of cattle, and at least three hundred human beings, among whom were many of the *gentler* sex. These rodeos were usually presided over by a 'Judge of the Plains,' an officer appointed by the Board of Supervisors, and whose duty was to arbitrate between owners in all disputes that might arise as to cattle-property, overhaul and inspect all brands of stock being driven from or through the county, and to steal as many 'hoobs' as he possibly could, without detection. In fact, the 'perquisites' constituted pretty nearly the

entire pay of this valuable officer, and if they all understood their business as well as the one it was my fortune to cabin with for a number of months, they made the office pay pretty well."

The following poetic description of a rodeo is well worthy the perusal of the reader:—

EL RODEO.

Few are the sunny years, fair land of gold,
That round thy brow their circlet bright have twined;
Yet, each thy youthful form hath still enrolled
In wondrous garb of peace and wealth combined.
Few are the years since old Hispania's sons
Reared here their missions—toll'd the chapel bell;
Subdued the natives with their priestly guns,
To bear the cross of God—and man as well.

Oft have the holy Fathers careless stood
Within thy valleys, then a blooming waste;
Or heedless, toiled among the mountain flood,
That, rich with treasure, downward foamed and raced.
Those times and scenes have long since passed away,
Before the white man's wisdom-guided tread,
As fly the shades before the steps of day,
When in the east he lifts his radiant head.

But, still, thy valleys and thy mountains teem
With customs common to the race of old;
Like Indian names bequeathed to lake and stream,
They'll live while Time his restless reign shall hold.
'Tis of one such that I essay to sing,
A custom much in vogue in sections here,
Till flood and frost did such destruction bring,
That scarce since then was needed a *rodeo*.

Last night, at sunset, down the stream, I saw
The dark *vaqueros* ride along the plain,
With ginglyng spur, and bit, and *jaquima*,
And snake-like lariats scarce e'er hurled in vain;
The steeds they rode were champing on the bit,
The agile riders lightly sat their "trees,"
And many a laugh and waif of Spanish wit
Made merry music on the evening breeze.

Far out beyond the hills their course they took,
And, where there lies in early-summer days,
A lake, or slough, or, chance a pebbly brook,
The coyote saw the camp-fire wildly blaze,
All night they lay beneath the lurid glare,
Till had upsprung morn's beauteous herald star,
And then, received each horse the needed care,
Quick o'er the plains they scattered near and far.

They come ! and thundering down the red-land slope.
The fierce *ganado* madly tears along,

While, close behind, urged to their utmost lope,
 The wild *caballos* drive the surging throng.
 At headlong speed the riders keep the band,
 With yells, and oaths, and waving hats and coats,
 Till in the strong corral they panting, stand,
 And rest is gained for horses and for throats.

Then comes the breakfast ; soon the steer they kill,
 And quickly is the dressing hurried through ;
 The meat is cooked by rude, yet well-liked skill,
 And—all do know what hungry men can do.
 The Padron sits beneath yon old oak tree,
 Encircled by a group of chatting friends ;
 For, at *rodeo*, all one can eat is free,
 So all around in greasy union blends.

The breakfast finished, cigarettes alight,
 Unto the huge corral all hands proceed ;
 The strong-wove cinches are made doubly tight,
 And the *riata's* noose prepared for need.
 The fire is kindled, and the iron brand,
 Amid its coals, receives the wonted heat ;
 The Padron waves assent, with eager hand,
 And the dark riders bound to saddle seat.

Where yon dark cloud of dust is rising high,
 The swart *vaqueros* like the lightning dart,
 And singling out their prey with practiced eye,
 Rush him from the affrighted herd apart.
 Then whirls the lasso, whistling through the air,
 In rapid circles o'er each horseman's head,
 Till round the yearlings throat is hurled the snare
 Burning like a huge coil of molten lead.

Then, heedless of its struggles to get free,
 They drag it to the *Major-domo's* stand.
 Who, though of tender heart he's wont to be,
 Now, merciless, sears deep in its flesh the brand.
 The Spanish mother at her youngling's cry
 Comes charging down with maddened hoof and horn,
 While far and wide the crowd of gazers fly,
 And hide behind the fence-posts till she's gone.

In faith, it is a sight well worth to see,
 For those who like excitement's feverish touch ;
 And he, who can look on and passive be,
 Has ice within his nature overmuch.
 What frantic bellows pierce the startled air,
 What clouds of dust obscure the mid-day sky,
 What frenzied looks the maddened cattle wear,
 As round and round, in vain, they raging fly!

These things and many more tend well to fill
 The eager cravings of the morbid mind ;
 Akin to passions that full oft instill

Feelings that prompt the torture of its kind;
But he who rashly seeks a closer view
Of tortured calf, to mark each groan and sigh,
Receives, full oft, rebuke in black and blue,
Pointed with force to where his brains most lie.

By the time the rodeo season was over, about the middle of May, the "Matanza," or killing season, commenced. The number of cattle slaughtered each year was commensurate with the number of calves marked, and the amount of herbage for the year, for no more should be kept alive than the pasture on the rancho could support. After the butchering the hides were taken off and dried; the tallow, fit for market, was put into bags made from hides; the fattest portions of the meat were made into soap; while some of the best was cut, pulled into thin shreds, dried in the sun, and the remainder thrown to the buzzards and the dogs, a number of which were kept—young dogs were never destroyed—to clean up after a matanza. Three or four hundred of these curs were to be found on a rancho, and it was no infrequent occurrence to see a ranchero come into town with a string of them at his horse's heels.

Let us consider one of the habitations of these people: Its construction was beautiful in its extreme simplicity. The walls were fashioned of large sun-dried bricks, made of that black loam known to settlers in the Golden State as adobe soil, mixed with straw, measuring about eighteen inches square and three in thickness; these being cemented with mud, plastered within with the same substance, and whitewashed when finished. The rafters and joists were of rough timber, with the bark simply peeled off and placed in the requisite position, the thatch being of rushes or chaparral fastened down with thongs of bullock's hide. When completed these dwellings stand the brunt and wear and tear of many decades, as can be evidenced by the number which are still occupied throughout the county. The furniture consisted of a few cooking utensils, a rude bench or two, sometimes a table, and the never-failing red camphor-wood trunk. This chest contained the extra clothes of the women—the men wore theirs on their backs—and when a visit of more than a day's duration was made, the box was taken along. They were cleanly in their persons and clothing; the general dress being, for females, a common calico gown of plain colors, blue grounds with small figures being those most fancied. The fashionable ball-dress of the young ladies was a scarlet flannel petticoat covered with a white lawn skirt, a combination of tone in color which is not surpassed by the modern gala costume. Bonnets there were none, the headdress consisting of a long narrow shawl or scarf. So graceful was their dancing that it was the admiration of all strangers; but as much cannot be said for that of the men, for the more noise they made, the better it suited them.

The dress of the men was a cotton shirt, cotton drawers, *calzonazos*, sash, *serape* and hat. The *calzonazos* took the place of pantaloons in the modern costume, and differed from these by being open down the side, or, rather, the seams on the sides were not sewed as in pantaloons, but were laced together from the waistband to the hips by means of a ribbon run through eyelets, thence they were fastened with large silver bell-buttons; in wearing them they were left open from the knee down. The best of these garments were made of broadcloth, the inside and outside seams being faced with cotton velvet. The *serape* was a blanket with a hole through its center, through which the head was inserted, the remainder hanging to the knees before and behind. These cloaks were invariably of brilliant colors, and varied in price from four to one hundred and fifty dollars. The *'calzonazos* were held in their place by a pink sash worn around the waist, while the *serape* served as a coat by day and a covering by night.

Their courtship was to the western mind peculiar, no flirting or love-making being permitted. When a young man of marriageable age saw a young lady whom he thought would make a happy help-mate, he had first to make his wishes known to his own father, in whose household the eligibility of the connection was primarily canvassed, when, if the desire was regarded with favor, the father of the enamored swain addressed a letter to the father of the young lady, asking for his daughter in marriage for his son. The matter was then freely discussed between the parents of the girl, and, if an adverse decision was arrived at, the father of the young man was by letter so informed, and the matter was at an end; but, if the decision of her parents was favorable to him, then the young lady's inclinations were consulted, and her decision communicated in the same manner, when they were affianced, and the affair became a matter of common notoriety. Phillis might then visit Chloe, was received as a member of her family, and when the time came the marriage was celebrated by feasting and dancing, which usually lasted from three to four days. It may be mentioned here that when a refusal of marriage was made, the lady was said to have given her lover the pumpkin—*Se dio la cabala*.

The principal articles of food were beef and beans, in the cooking and preparing of which they were unsurpassed; while they cultivated to a certain extent, maize, melons, and pumpkins. The bread used was the *tortilla*, a wafer in the shape of the Jewish unleavened bread, which was, when not made of wheaten flour, baked from corn. When prepared of the last-named meal, it was first boiled in a weak lye made of wood ashes, and then by hand ground into a paste between two stones; this process completed, a small portion of the dough was taken out, and by dexterously throwing it up from the back of one hand to that of the other the shape was formed, when it was placed upon a flat iron and baked over the fire.

The mill in which their grain was ground was made of two stones as nearly round as possible, of about thirty inches in diameter, and each being dressed on one side to a smooth surface. One was set upon a frame some two feet high, with the smooth face upwards; the other was placed on this with the even facet downwards, while through an inch hole in its center was the wheat fed by hand. Two holes drilled partly through each admitted an iron bolt, by means of which a long pole was attached; to its end was harnessed a horse, mule or donkey, and the animal being driven round in a circle, caused the stone to revolve. We are informed that these mills were capable of grinding a bushel of wheat in about twelve hours! Their vehicles and agricultural implements were quite as primitive, the cart in common use being formed in the following manner: The two wheels were sections of a log with a hole drilled or bored through the center, the axle being a pole sharpened at each extremity for spindles, with a hole and pin at either end to prevent the wheels from slipping off. Another pole fastened to the middle of the axle served the purpose of a tongue. Upon this framework was set, or fastened, a species of wicker-work, framed of sticks bound together with strips of hide. The beasts of burden were oxen, which were yoked with a stick across the forehead, notched and crooked so as to fit the head closely, and the whole tied with rawhide. The plow was a still more quaint affair. It consisted of a long piece of timber which served the purpose of a beam, to the end of which a handle was fastened; a mortise was next chiseled in order to admit the plow, which was a short stick with a natural crook, having a small piece of iron fastened on one end of it. With this crude implement was the ground upturned, while the branch of a convenient tree served the purposes of a harrow. Fences there were none so that crops might be protected; ditches were therefore dug, and the crests of the sod covered with the branches of trees, to warn away the numerous bands of cattle and horses, and prevent their intrusion upon the newly sown grain. When the crops were ripe they were cut with a sickle, or any other convenient weapon, and then it became necessary to thresh it. Now for the *modus operandi*. The floor of the corral into which it was customary to drive the horses and cattle to lasso them, from constant use had become hardened. Into this inclosure the grain would be piled, and upon it the *manatha*, or band of mares, would be turned loose to tramp out the seed. The wildest horses, or mayhap the colts that had only been driven but once, and then to be branded, would be turned adrift upon the straw, when would ensue a scene of the wildest confusion, the excited animals being urged, amidst the yelling of vaqueros and the cracking of whips, here, there, and everywhere, around, across, and lengthwise, until the whole was trampled, and naught left but the grain and chaff. The most difficult part, however, was the separating these two articles. Owing to the length of the dry season there was no urgent haste to effect

this; therefore, when the wind was high enough, the trampled mass would be tossed into the air with large wooden forks cut from the adjacent oaks, and the wind carry away the lighter chaff, leaving the heavier grain. With a favorable breeze several bushels of wheat could thus be winnowed in the course of a day; while, strange as it may appear, it is declared that grain so sifted was much cleaner than it is now.

The government of the native Californian was as primitive as the people. There were neither law-books nor lawyers, while laws were mostly to be found in the traditions of the people. The head officer in each village was the Alcalde, in whom was vested the judicial function, who received on the enactment of a new law a manuscript copy, called a *bando*, upon the obtaining of which a person was sent round beating a snare drum, which was a signal for the assemblage of the people at the Alcalde's office, where the Act was read, thus promulgated, and forthwith had the force of law. When a citizen had cause of action against another requiring the aid of court, he went to the Alcalde and verbally stated his complaint in his own way, and asked that the defendant be sent for, who was at once summoned by an officer, who simply said that he was wanted by the Alcalde. The defendant made his appearance without loss of time, where, if in the same village, the plaintiff was generally in waiting. The Alcalde commenced by stating the complaint against him and asked what he had to say about it. This brought about an altercation between the parties, and nine times out of ten the Justice could get at the facts in this wise, and announce judgment immediately, the whole suit not occupying two hours from its beginning. In more important cases three "good men" would be called in to act as co-justices, while the testimony of witnesses had seldom to be resorted to. A learned American Judge has said that "the native Californians were, in the presence of their courts, generally truthful. What they know of false-swearing or perjury they have learned from their associations with Americans. It was truthfully said by the late Edmund Randolph, that the United States Board of Commissioners to settle private land claims in California, had been the graves of their reputations."

They were all Roman Catholics, and their priests of the Franciscan Order. They were great church-goers, yet Sunday was not the only day set apart for their devotions. Nearly every day in the calendar was devoted to the memory of some saint, while those dedicated to the principal ones were observed as holidays; so that Sunday did not constitute more than half the time which they consecrated to religious exercises, many of which were so much in contrast to those of the present day, that they deserve a short description.

The front door of their churches were always open, and every person passing, whether on foot or on horseback, did so hat in hand; any forgetful-

ness on this head caused the unceremonious removal of the sombrero. During the holding of services within, it was customary to station a number of men without, who at appointed intervals interrupted the proceedings with the ringing of bells, the firing of pistols, and the shooting of muskets, sustaining a noise resembling the irregular fire of a company of infantry.

In every church was kept a number of pictures of their saints, and a triumphal arch profusely decorated with artificial flowers, while, on a holiday devoted to any particular saint, after the performance of mass, a picture of the saint, deposited in the arch, would be carried out of the church on the shoulders of four men, followed by the whole congregation in double file, with the priest at the head, book in hand. The procession would march all round the town, and at every few rods would kneel on the ground while the priest read a prayer or performed some religious ceremony. After the circuit of the town had been made, the train returned to the church, entering it in the same order as that in which they had departed. With the termination of these exercises, horse-racing, cock-fighting, gambling, dancing, and a general merry-making, completed the work of the day. A favorite amusement of these festivals was for thirty or forty men on horseback, generally two but sometimes three on one horse, with their guitars, to parade the town, their horses capering and keeping time to the music, accompanied with songs by the whole company, in this manner visiting, playing and singing, at all the places of business and principal residences; and it was considered no breach of decorum for men on horses to enter stores and dwellings.

Some of their religious ceremonies were very grotesque and amusing, the personification of "The Wise Men of the East," being of this character. At the supposed anniversary of the visit of the Wise Men to Bethlehem, seven or eight men would be found dressed in the most fantastic styles, going in company from house to house looking for the infant Saviour. They were invariably accompanied by one representing the devil in the garb of a Franciscan friar, with his rosary of beads and the cross, carrying a long rawhide whip, and woe to the man who came within the reach of that whip—it was far from fun to him, though extremely amusing to the rest of the party. The chief of these ceremonies, however, was the punishment of Judas Iscariot for the betrayal of his Master. On the supposed periodicity of this event, after nightfall and the people had retired to rest, a company would go out and prepare for the forthcoming ceremonies. A cart was procured and placed in the public square in front of the church, against which was set up an effigy made to represent Judas, by stuffing an old suit of clothes with straw. The houses were then visited and a collection of pots, kettles, dishes, agricultural implements—in fact almost every conceivable article of personal property was scraped together and piled up around Judas, to represent his effects, until in appearance he was the wealthiest man in the whole country.

Then the last will and testament of Judas had to be prepared, a work which was accorded to the best scribe and the greatest wit of the community. Every article of property had to be disposed of, and something like an equal distribution among all the people made, each bequest being accompanied by some very pointed and witty reason for its donation. Among a more sensitive people, some of these reasons would be regarded as libelous. The will, when completed and properly attested, was posted on a bulletin board near the effigy, and the night's work was performed. As soon as sufficiently light, the entire population, men, women and children, congregated to see Judas and his wealth, and to hear read, and discuss, the merits of his will, and appropriateness of its provisions. Nothing else was talked of; nothing else was thought of, until the church bell summoned them to mass, after which a wild, unbroken mare was procured, on the back of which Judas was firmly strapped; a string of fire-crackers was then tied to her tail, they were lighted, she was turned loose, and the ultimate fate of the figurative Judas was not unlike that which we are told occurred to his perfidious prototype.

The native Californians were a temperate people, intoxication being almost unknown. Wines and liquors existed in the country, but were sparingly used. In a saloon when a "bit's worth" was called for, the decanter was not handed to the customer, as is now the case, but was invariably measured out, and if the liquor was a potent spirit, in a very small dose; while a "bit's worth" was a *treat* for a considerable company, the glass being passed around from one to the other, each taking a sip. The following amusing episode in this regard, which occurred in 1847, may find a place in this chapter. Juan Soto, an old gray-headed man and a great friend to Americans—for every one who spoke English was an American to him—had come into possession of a "bit," and being a generous, whole-souled man, he desired to *treat* five or six of his friends and neighbors. To this end he got them together, marched them to Weber's store in the Pueblo de San José, and there meeting —, who, though hailing from the Emerald Isle, passed for an American, invited him to join in the *symposium*. The old Spaniard placed his "bit" upon the counter with considerable *éclat*, and called for its value in wine, which was duly measured out. As a mark of superior respect he first handed it to —, who, wag that he was, swallowed the entire contents, and awaited the *dénouement* with keen relish. Soto and his friends looked at each other in blank amazement, when there burst out a tirade in their native tongue, the choice expressions in which may be more readily imagined than described.

There was one vice that was common to nearly all of these people, and which eventually caused their ruin, namely, a love of gambling. Their favorite game was *monté*, probably the first of all banking games. So passionately were they addicted to this, that on Sunday, around the church, while the women were inside and the priest at the altar, crowds of men would have

their blankets spread upon the ground with their cards and money, playing their favorite game of monte. They entertained no idea that it was a sin, nor that there was any thing in it derogatory to their character as good Christians. This predilection was early discovered and turned to account by the Americans, who soon established banks, and carried on games for their amusement especially. The passion soon became so developed that they would bet and lose their horses and cattle, while, to procure money to gratify this disposition, they would borrow from Americans at the rate of twelve and a half per cent. per day; mortgaging and selling their lands and stock, yea, even their wives' clothing, so that their purpose should be gratified, and many unprincipled Westerns of those days enriched themselves in this manner at the expense of those poor creatures.

Before leaving this people, mention should be made of their bull and bear fights. Sunday, or some prominent holiday, was invariably the day chosen for holding these, to prepare for which a large corral was erected in the plaza in front of the church, for they were witnessed by priest and layman alike. In the afternoon, after Divine service, two or three good bulls (if a bull-fight only), would be caught and put into the inclosure, when the combat commenced. If there is anything that will make a wild bull furious it is the sight of a red blanket. Surrounded by the entire population, the fighters entered the arena, each with one of these in one hand and a knife in the other, the first of which they would flaunt before the furious beast, but guardedly keeping it between the animal and himself. Infuriated beyond degree, with flashing eye and head held down, the bull would dash at his enemy, who with a dexterous side spring would evade the onslaught, leaving the animal to strike the blanket, and as he passed would inflict a slash with his knife. Whenever by his quickness he could stick his knife into the bull's neck just behind the horns, thereby wounding the spinal cord, the bull fell a corpse and the victor received the plaudits of the admiring throng. The interest taken in these exhibitions was intense; and, what though a man was killed, had his ribs broken, was thrown over the fence, or tossed on to the roof of a house; it only added zest to the sport, it was of no moment, the play went on. It was a national amusement.

When a grizzly bear could be procured, then the fight, instead of being between man and bull, was between bull and bear. Both were taken into the corral, each being made fast to either end of a rope of sufficient length to permit of free action, and left alone until they chose to open the ball. The first motion was usually made by the bull endeavoring to part company from the bear, who thus received the first "knock down." On finding that he could not get clear of Bruin, he then charged him, but was met half-way. If the bear could catch the bull by the nose, he held him at a disadvantage; but he more frequently found that he had literally taken the bull by the

horns, when the fight became intensely interesting, and was kept up until one or other was killed, or both refused to renew the combat. The bull, unless his horns were clipped, was generally victorious.

This custom of bull and bear fighting was kept up by the native Californians, as a money-making institution from the Americans, until the year 1854, when the Legislature interposed by "An Act to prevent Noisy, and Barbarous Amusements on the Sabbath."

Judge R. F. Peckham tells the following incident in regard to this Act, which though not having occurred in this county, still took place in the Santa Clara valley. Shortly after the foregoing enactment became a law, great preparations were made for having a bull-fight, on the Sabbath as usual, at the old Mission of San Juan Bautista. They were notified by the officers of the existence of the new law, and that they must desist from the undertaking. Doctor Wiggins, a mission pioneer in California since 1842, was then residing at San Juan; he spoke Spanish fluently, and was looked upon as a great friend by the native Californians. He never smiled nor appeared to jest, yet he was the greatest tale-teller, jester and punster on the Pacific coast. In sallies of genuine wit he stood unequalled. In their perplexity about the new law, the Californians took counsel with the doctor; he examined the title of the Act with much seriousness and great wisdom: "Go on with your bull-fights," was the doctor's advice; "they can do nothing with you. This is an Act to prevent noisy and barbarous amusements on the Sabbath. If they arrest you, you will be entitled to trial by jury; the jury will be Americans; they will, before they can convict you, have to find three things: first, that a bull-fight is noisy; this they will find against you; second, that it is barbarous; this they will find against you; *but an American jury will never find that it is an amusement in Christ's time.* Go on with your bull-fights." They did go on and were arrested, to find that the doctor had been practicing a cruel joke on this long-cherished institution. They were sentenced to pay a fine, and it was the last of the bull-fights. Thus passed away the only surviving custom of a former civilization.

The history of the settlement of any county of California follows as sequentially, and is so closely allied with the history of the Pacific coast in general, and this State in particular, that to commence the chronicling of events from the beginning naturally and properly takes us back to the first discoveries in this portion of the globe, made by the bold old *voyageurs* who left the known world and charted seas behind them and sailed out into an unknown, untraversed, unmapped and trackless main, whose mysteries were to them as great as those of that "undiscovered country" of which the Prince of Denmark speaks.

In the year 1728 a Dane named Vitus Bering, was employed by Catharine of Russia to proceed on an exploring expedition to the north-west coast of

America and Asia, to find if possible an undiscovered connection between the Atlantic and Pacific oceans. On this voyage he solved the riddle and gave to the world the straits which now bear his name. On his return he tendered to the Empress the handsome skins which he had procured on his cruise, and so delighted was she, and so excited was the cupidity of capitalists from other countries, that soon settlements were established on the coast, and the collection of furs commenced. In 1799 the Russian American Fur Company was organized and located in what is now known as Alaska; Sitka was founded in 1805; and for many years the neighbors of the Russ were the Austrians and Danes. Now came the British. An association known as the King George's Sound Company was organized in London in 1784, for the purpose of making a settlement on the Pacific coast, whither many of their vessels found their way, up till 1790. Between the years 1784 and 1790, the coast was visited by ships of the East India Company; and about the last-named year craft of the United States were first seen in these waters.

The ship *Columbia*, Robert Gray, Captain, arrived at the Straits of Fuca June 5, 1791, and traded along the coast, discovering the Columbia river, which he named after his vessel, May 7, 1792. In 1810, a number of hunters and trappers arrived in the ship *Albatross*, Captain Smith, and established the first American settlement on the Pacific coast. In the same year, under the leadership of John Jacob Astor, the Pacific Fur Company was organized in New York; and in 1811 they founded the present town of Astoria, at the mouth of the Columbia river. The British, however, soon after wrested it from their hands and drove all the Americans out of the country, many of whom found their way into California. Between the years 1813 and 1822, save deserters from vessels, and those connected with trading-posts, there were no Americans on the coast.

In his "Natural Wealth of California," Titus Fey Cronise informs us that from 1825 until 1834, the whole of the California trade was in the hands of a few Boston merchants. A voyage to this coast and back, during that time, was an enterprise of very uncertain duration, generally occupying two or three years. The outward cargo, which usually consisted of groceries and coarse cotton goods, had to be retailed to the missionaries and settlers, as there were no "jobbers" in those times, and neither newspapers, telegraphs, nor stages through which to inform customers of the ship's arrival. The crew had to travel all over the country to convey the news, which occupied considerable time. It was this portion of their duties that caused so many of them to desert their ships. They saw so much of the country, became so charmed with the freedom, ease and plenty, that prevailed everywhere, that they preferred to remain on shore. Each of these vessels generally brought several young men as adventurers, who worked their passage out for the privilege of remaining. Many of the early settlers, whose children are now

among the wealthiest citizens of the State, came to California in this manner.

The outward cargo being disposed of, the homeward one had to be procured. Sometimes, when the season had been too dry, or too wet for the lazy vaqueros to drive the cattle into the missions to kill, there were no hides or tallow to be had. On such occasions the vessel was obliged to remain till the next season, when a sufficient number of cattle would be slaughtered to pay for the goods purchased, as there was no "currency" used in the country, except hides and tallow.

First in California to settle, and foremost in Santa Clara county, was John Cameron, commonly called Gilroy. He was born in Invernessshire, Scotland, in the district of Lochaber, in the year 1794, and in the year 1813 arrived in Monterey in one of Her Britannic Majesty's ships, on board of which he was rated as coxswain of the captain's gig. From here he deserted in company with a comrade known as "Deaf Jimmy," and waiting carefully hid until the vessel had departed, the two friends then sought employment, and finding their way into this valley, Gilroy established himself at the little town of San Ysidro, now generally called Old Gilroy, and there marrying, remained till his death, which occurred in July, 1869. His comrade, "Deaf Jimmy," after staying with his *confrère* for some time, went to the north of the Bay of San Francisco and died in Sonoma county. At this time there were not half a dozen foreign settlers in the whole country, save the Russians who then occupied Bodega and Fort Ross on the coast of Sonoma, while, from San Francisco to Los Angeles, there were only eight ranchos, the property of Mexican colonists.

In the year 1818 there arrived at Monterey another of those grand noble-men, cast in nature's mould, in the person of Don Antonio Suñol. His birth-place was Barcelona in Spain, but a love for the French people induced him to enter their naval service and he was present when the First Napoleon surrendered as a prisoner before his exile to the island of St. Helena. He died at his residence in San José, March 18, 1865, having earned in life by his generosity, the respect of the entire community.

Prior to the year 1820 the manner of living was most primitive, and had it not been that horses were plentiful, the mode of locomotion would have of a necessity been confined to pedestrianism, for, as there were no roads there were no vehicles, while the wheels of those which existed were innocent of felloe, spoke, hub, or tire. Not a hotel, or public house of entertainment was to be found throughout the length and breadth of the land, while there was no sawed timber; that used for building being hewn with axes by Indians. A fire-place or stove was unknown in a dwelling, nor did these come into use until 1846, after the American Occupation.

The first American-born settler in Santa Clara county, was Philip Doke

or Doak, a block and tackle maker, who having left a whaling vessel in Monterey about the year 1822, came into this valley, settled on the rancho of Mariano Castro, near Gilroy, and married one of his daughters. About the same time, 1822, Mathew Fellom, a Dane, having landed from a whaler at either Bodega or Fort Ross, traversed the intervening wilds, and located on land now occupied by W. N. Furlong, near San Ysidro, or Old Gilroy. This gentleman died in 1873.

In the year 1828 there was an Englishman named William Willis living in the Pueblo de San José, but when he came to the county we have no means of ascertaining.

It is believed that in or about the year 1830 there were not more than a hundred foreigners in the whole of California. About that year there came to this county the future Alcalde during the American Occupation: John Burton, who married in 1831. In the Fall of 1833, Harry Bee came to San José from Monterey, where he had arrived in company with Dr. Douglass, a naturalist, in October, 1827. He was born in the parish of Westminster, London, England, and is to-day the oldest living settler of Santa Clara county. In 1833 there also came with the Hijas colonization expedition to the valley, William Gulnac, a native of Hudson City, New York, where he was born, August 4, 1801. In the year 1819 he sailed around Cape Horn and settled in Lower California, where he married Maria Isabel de Casanueva, in 1825. He died July 12, 1851, having been *mayordomo* of the Mission San José for a considerable period. In this year, too, came James Alexander Forbes, afterwards Vice Consul for Great Britain, who died in Oakland, Alameda county, May, 1881, and James Weekes, who served as Alcalde in 1847. In that year there were John Mulligan and a watchmaker, whose name is unknown, at Gilroy's. Besides these, Harry Bee says, about the time he arrived, or shortly after, there were living in the Pueblo de San José, Nicholas Doderro, an Italian; John Price, an American, William Smith, better known as "Bill the Sawyer;" George Ferguson, who is still alive and now a resident of Mayfield; Thomas Pepper, *alias* Pimiento, William Welsh, an Irishman; "Blind Tom," an English sailor; Charles Brown, now of San Francisco, and also an Irish dragoon, a deserter from the British service. To these Mr. Weekes, who died in May, 1881, at the residence of his old friend Harry Bee, adds the name of Moche Dan. In 1834 Thomas Bowen and William Daily came.

In the year 1835 thirty citizens, styling themselves as of the Ranchos of the north, that is of districts to the north of the bay, presented the following petitions to the Governor which are produced in the hope that they may prove instructive as well as amusing to the reader. It is a desire on their part to belong to the jurisdiction of San José, instead of that of San Francisco:—

“ *To His Excellency the Governor—*

“ The residents of the adjoining ranchos of the north, now belonging to the jurisdiction of the port of San Francisco, with due respect to your Excellency, represent: That finding great detriment, and feeling the evils under which they labor from belonging to this jurisdiction, whereby they are obliged to represent to your Excellency that it causes an entire abandoning of their families for a year by those who attend the judiciary functions and are obliged to cross the bay. Truthfully speaking, to be obliged to go to the port by land, we are under the necessity of traveling forty leagues, going and coming back; and to go by sea we are exposed to the danger of being wrecked. By abandoning our families, as above stated, it is evident that they must remain without protection against the influences of malevolent persons; they are also exposed to detention and loss of labor and property, and injury by animals. There is no lodging to be had in that port, where, for a year, an *ayuntamiento* is likely to detain them, and, should they take their families, incurring heavy expenses for their transportation and necessary provisioning for the term of their engagement, there is no accommodation for them. Wherefore, in view of these facts, they pray your Excellency to be pleased to allow them to belong to the jurisdiction of the town of San José, and recognize a commission of justice that will correspond with the said San José as capital for the people in this vicinity; wherefore, we humbly pray your Excellency to favor the parties interested by acceding to their wishes.

“ San Antonio, San Pablo, and the adjacent ranchos north, May 30, 1835.”

It is unnecessary here to produce the names of the signers of the document, rather permit us to dwell upon the changes rung by time since then. Six and forty years ago the bay was indeed a veritable “sea of trouble” to those rancheros; it is now crossed in half the number of minutes that years have elapsed. Where there were no accommodations, the finest and best conducted hotels in the worlds have sprung up as if by magic; and travel by land has been rendered secure, inexpensive, comfortable, and expeditious. Such a wonderful transformation is hard to realize; but the facts speak for themselves.

In due course the document was received at Monterey. Let us follow it:

Under date August 12, 1835, it was indorsed: “Let it be kept to be reported to the deputation.” September 1st, it was docketed: “On this day the same was reported and referred to the Committee on Government,” who, September 5th, reported as follows: “Most Excellent Sir: The Committee on Government being required to report upon the memorial, with the parties subscribed thereto, made to the Political Chief on the 30th day of May last, finds that the said memorial is grounded upon good reasons and public con-

venience; but, as the subject should be considered upon proper reports and a due determination, the Committee is of opinion that the reports of the Ayuntamientos of the towns of San José and San Francisco are required for that purpose. Therefore, the Committee offers, for the deliberation of the most Excellent Deputation, the following propositions: 1st. That the *expediente* be referred to the Ayuntamientos of the towns of San José and San Francisco, in order that they report upon said memorial. 2d. That after which, the same be returned for determination.

"MAN'L JIMENO,
"SALVIO PACHECO."

"Monterey, September 10, 1835. At the session of this day the most Excellent Deputation has approved the two propositions made in the report of the Committee on Government.

MANUEL JIMENO."

"Monterey, September 28, 1835. Let this *expediente* be forwarded to the Ayuntamiento of the town (*pueblo*) of San José Guadalupe, for a report upon the prayer of the foregoing memorial, and to that of San Francisco for the like purpose. The Ayuntamiento of the latter town will, moreover, give a list of the residents of the vicinity of the same. Don José Castro, senior member of the most Excellent Territorial Deputation, and Superior Political Chief of Upper California, thus commended, decreed, and signed this, which I attest.

"JOSE CASTRO.

"FRAN'CO DEL CALSELLO NEGRETE, *Sec'y.*"

"In pursuance of the foregoing Supreme Order of Your Excellency, the Ayuntamiento begs to state the following: That with regard to the residents on the northern vicinity, now under jurisdiction of San Francisco, and who in their memorial prayed to be exempted from belonging to that jurisdiction, owing to most notable detriment occasioned to them, now and then, from having indispensably to cross the bay, or to travel upwards of forty leagues while on half their way they can come to this town (*pueblo*), under the jurisdiction of which they formerly were, which was most suitable and less inconvenient to them; this Ayuntamiento thinks that their prayer should be granted, if it is so found right.

"ANTONIO MA. PICO,

"JOSE BERREYESSA, *Secretary.*

"IGNACIO MARTINEZ.

"Town of San José Guadalupe, November 4, 1835."

In a response, or rather a remonstrance, the complaints of the petitioners were treated as frivolous by the Ayuntamiento of San Francisco, who rebuked them for their want of patriotism; and were asked if their service of having traveled a paltry forty leagues could bear the slightest comparison with those of others who had journeyed hundreds of leagues in the interior and some who had gone on public service from San Francisco to San Diego.

We have elsewhere fully entered into the subject of the events which



W. F. Rockham

transpired between the years 1836 and 1846, in regard to the donation of grants and commencement of hostilities between the United States and Mexico. We have now but to attempt to follow the names of those immigrants who settled in the county. In the year 1838 there came two men named Henry Woods and Lawrence Carmichael.

In the year 1841, however, the first overland immigration may be said to have commenced, the voyage being then more one of discovery than certainty, the only well-ascertained points at that time being the Great Salt Lake and Humboldt river, then known as St. Mary's. Of the two parties that left Independence, Missouri, May 6, 1841, the first was under the leadership of Robert H. Thomas of Tehama, and traveled by St. Mary's, Ogden, or Humboldt river; the second came by Santa Fé, and the middle route to Los Angeles, and had as its chief, William Workman, who died in Los Angeles in 1876. In the former, which numbered about thirty men, we find the names of Josiah Belden, Charles M. Weber, who died in Stockton in May, 1881, and Grove C. Cook, three gentlemen that have much to do with the early days of Santa Clara. Besides these we learn that Henry Pitts, Peter Springer, William Wiggins, and James Rock came at that time. In the year 1843 another party crossed the plains, and some of them found their way to the Santa Clara valley, among them being Major S. J. Hensley, who died in 1865; Julius Martin, Thomas J. Shadden, and Winston Bennett, the last three of whom brought their wives, the first foreign ladies to settle in the district. In 1844 we find among the arrivals in the county the names of Captain Stephens, the Murphy family, including Martin Murphy, senior, his wife with five sons and two daughters; James Miller, now an honored resident of Marin county, who removed thither shortly after his arrival; Dr. John Townsend and wife, and Moses Schallenberger, the father, mother and uncle of John Townsend of San José; Joseph Foster; Mr. Hitchcock and family; Thomas Hudson, C. Columbet, and Martin Corcoran. Of these Dr. Townsend and his wife died of cholera in the year 1850; and Mr. Murphy, senior, March 16, 1865. His biography will be found in another portion of this work. In 1845 Frank Lightston, J. Washburn Wm. O'Connor, W. C. Wilson, John Daubenbiss, and James Stokes, came to the county. In 1846, there arrived in Santa Clara valley Uncle Ike Branham, Jacob D. Hoppe, Charles White, Joseph Aram, Zachariah Jones, James F. Reed, William McCutchen, and their families, George Donner and his two sisters, Arthur Caldwell, William Daniels, Samuel Young, A. A. Hecox, William Haun, William Fisher, Edward Pyle, and their families; Wesley Hoover, and John W. Whisman, with their wives; William and Thomas Campbell and their families; Peter Quivey and his family; Thomas Kell, and his belongings; Thomas West, and his four sons, Thomas, Francis T., George R., and William T.; John Snyder, Septimus R. Moultrie, Wil-

liam J. Parr, Joseph A. Lard, Mrs. W. H. Lowe, Mrs. E. Markham, L. C. Young, R. J. Young, M. D. Young, S. C. Young (dec), Samuel Q. Broughton, R. F. Peckham, Z. Rochon, Joseph Stillwell, George Cross, Ramon S. Ceseña, M. Holloway, Edward Johnson, Mrs. Martha J. Lewis, and James Enright. Of course there were many more, but these are the only names that the oldest resident in the county recollects.

Above we have mentioned the names of George Donner and his two sisters as settlers in Santa Clara county. Let us now relate the terrible experiences of that company known as the Donner party, of which they were members:—

Tuthill's History of California tells us: "Of the overland emigration to California, in 1846, about eighty wagons took a new route, from Fort Bridger, around the south end of Great Salt Lake. The pioneers of the party arrived in good season over the mountains; but Mr. Reed's and Mr. Donner's companies opened a new route through the desert, lost a month's time by their explorations, and reached the foot of the Truckee pass, in the Sierra Nevada, on the 31st of October, instead of the 1st, as they had intended. The snow began to fall on the mountains two or three weeks earlier than usual that year, and was already so piled up in the pass that they could not proceed. They attempted it repeatedly, but were as often forced to return. One party built their cabins near the Truckee lake, killed their cattle, and went into Winter quarters. The other (Donner's) party, still believed that they could thread the pass, and so failed to build their cabins before more snow came and buried their cattle alive. Of course they were soon utterly destitute of food, for they could not tell where the cattle were buried, and there was no hope of game on a desert so piled with snow that nothing without wings could move. The number of those who were thus storm-stayed, at the very threshold of the land whose Winters are one long Spring, was eighty, of whom thirty were females, and several children. The Mr. Donner who had charge of one company, was an Illinoisian, sixty years of age, a man of high respectability and abundant means. His wife was a woman of education and refinement, and much younger than he.

"During November it snowed thirteen days; during December and January, eight days in each. Much of the time the tops of the cabins were below the snow level.

"It was six weeks after the halt was made that a party of fifteen, including five women, and two Indians who acted as guides, set out on snow-shoes to cross the mountains, and give notice to the people of the California settlements of the condition of their friends. At first the snow was so light and feathery that even in snow-shoes they sank nearly a foot at every step. On the second day they crossed the 'divide,' finding the snow at the summit twelve

feet deep. Pushing forward with the courage of despair, they made from four to eight miles a day.

"Within a week they got entirely out of provisions; and three of them, succumbing to cold, weariness, and starvation, had died. Then a heavy snow-storm came on, which compelled them to lie still, buried between their blankets under the snow, for thirty-six hours. By the evening of the tenth day three more had died, and the living had been four days without food. The horrid alternative was accepted—they took the flesh from the bones of their dead, remained in camp two days to dry it, and then pushed on.

"On New Year's, the sixteenth day since leaving Truckee lake, they were toiling up a steep mountain. Their feet were frozen. Every step was marked with blood. On the second of January, their food again gave out. On the third, they had nothing to eat but the strings of their snow-shoes. On the fourth, the Indians eloped, justly suspicious that they might be sacrificed for food. On the fifth, they shot a deer, and that day one of their number died. Soon after three others died, and every death now eked out the existence of the survivors. On the seventh, all gave out, and concluded their wanderings useless, except one. He, guided by two stray friendly Indians, dragged himself on till he reached a settlement on Bear river. By midnight the settlers had found and were treating with all Christian kindness what remained of the little company that after more than a month of the most terrible sufferings, had that morning halted to die.

"The story that there were emigrants perishing on the other side of the snowy barrier ran swiftly down the Sacramento valley to New Helvetia, and Captain Sutter, at his own expense, fitted out an expedition of men and of mules laden with provisions, to cross the mountains and relieve them. It ran on to San Francisco, and the people, rallying in public meeting, raised fifteen hundred dollars and with it fitted out another expedition. The naval commandant of the port fitted out still others.

"The first of the relief parties reached Truckee lake on the nineteenth of February. Ten of the people in the nearest camp were dead. For four weeks those who were still alive had fed only on bullocks' hides. At Donner's camp they had but one hide remaining. The visitors left a small supply of provisions with the twenty-nine whom they could not take with them, and started back with the remainder. Four of the children they carried on their backs.

"Another of the relief parties reached Truckee lake on the first of March. They immediately started back with seventeen of the sufferers; but, a heavy snow-storm overtaking them, they left all, except three of the children, on the road. Another party went after those who were left on the way; found three of them dead, and the rest sustaining life by feeding on the flesh of the dead.

"The last relief party reached Donner's camp late in April, when the snows

had melted so much that the earth appeared in spots. The main cabin was empty, but some miles distant they found the last survivor of all lying on the cabin floor smoking his pipe. He was ferocious in aspect, savage and repulsive in manner. His camp-kettle was over the fire and in it his meal of human flesh preparing. The stripped bones of his fellow-sufferers lay around him. He refused to return with the party, and only consented when he saw there was no escape.

"Mrs. Donner was the last to die. Her husband's body, carefully laid out and wrapped in a sheet, was found at his tent. Circumstances led to the suspicion that the survivor had killed Mrs. Donner for her flesh and her money, and when he was threatened with hanging, and the rope tightened around his neck, he produced over five hundred dollars in gold, which, probably, he had appropriated from her store."

In relation to this dreary story of suffering, this portion of our history will be concluded by the narration of the prophetic dream of George Yount, attended, as it was, with such marvelous results.

At this time (the Winter of 1846), while residing in Napa county, of which he was the pioneer settler, he dreamt that a party of emigrants were snow-bound in the Sierra Nevada, high up in the mountains, where they were suffering the most distressing privations from cold and want of food. The locality where his dream had placed these unhappy mortals, he had never visited, yet so clear was his vision that he described the sheet of water surrounded by lofty peaks, deep-covered with snow, while on every hand towering pine trees reared their heads far above the limitless waste. In his sleep he saw the hungry human beings ravenously tear the flesh from the bones of their fellow-creatures, slain to satisfy their craving appetites, in the midst of a gloomy desolation. He dreamed his dream on three successive nights, after which he related it to others, among whom were a few who had been on hunting expeditions in the Sierras. These wished for a precise description of the scene foreshadowed to him. They recognized the Truckee, now the Donner lake. On the strength of this recognition Mr. Yount fitted out a search expedition, and, with these men as guides, went to the place indicated, and, prodigious to relate, was one of the successful relieving bands to reach the ill-fated Donner party.

Many books on this subject have been written, but all have differed materially. As several prominent citizens of Santa Clara county are interested in the matter, we here produce the statement of James F. Reed, as appeared in the *Pacific Rural Press*. Mr. Reed was a well-known and highly respected member of society in San José.

"I left Springfield, Illinois, with my family about the middle of April, 1846. George and Jacob Donner with their families accompanied me. We arrived at Independence, Missouri, where I loaded two of my wagons with

provisions, a third one being reserved for my family. Col. W. H. Russel's company had started from here before our arrival. We followed and overtook them in the Indian Territory. I made application for admission of myself and others into the company, and it was granted. We traveled on with the company as far as the Little Sandy, here a separation took place. The majority of the members going to Oregon, and a few wagons, mine with them, going the Fort Bridger, Salt Lake route for California. The day after our separation from the Russel company, we elected George Donner captain. From this time the company was known as 'The Donner Party.'

"Arriving at Fort Bridger, I added one yoke of cattle to my teams, staying here four days. Several friends of mine who had passed here with pack animals for California, had left letters with Mr. Vasques—Mr. Bridger's partner—directing me to take the route by way of Fort Hall, and by no means to go the Hasting's Cut-off. Vasques being interested in having the new route traveled, kept these letters. This was told me after my arrival in California. Mr. McCutchen, wife and child, joined us here.

"Leaving Fort Bridger we unfortunately took the new route, traveling on without incident of note, until we arrived at the head of Weber cañon. A short distance before reaching this place we found a letter, sticking in the top of a sage bush. It was from Hastings. He stated that if we would send a messenger after him he would return and pilot us through a route much shorter and better than the cañon. A meeting of the company was held, when it was resolved to send Messrs. McCutchen, Stanton, and myself, to Mr. Hastings; also we were at the same time to examine the cañon, and report at short notice. We overtook Mr. Hastings at a place we called Black Rock, south end of Salt Lake, leaving McCutchen and Stanton here, their horses having failed. I obtained a fresh horse from the company Hastings was piloting, and started on my return to our company, with Mr. Hastings. When we arrived at about the place where Salt Lake City is built, Mr. Hastings finding the distance greater than anticipated by him, stated that he would be compelled to return the next morning to his company. We camped this evening in a cañon, and next morning ascended to the summit of the mountain where we could overlook a portion of the country that lay between us and the head of the cañon, where the Donner company were camped. After he gave me the direction, Mr. Hastings and I separated. He returning to the companies he had left the morning previous, I proceeding on eastward. After descending to what may be called the table-land, I took an Indian trail, and blazed the route where it was necessary that the road should be made, if the company so directed when they heard the report. When McCutchen, Stanton, and myself, got through Weber cañon on our way to overtake Mr. Hastings, our conclusions were that many of the wagons would be destroyed in attempting to get through

the cañon. Mr. Stanton and McCutchen were to return to our company as fast as their horses would stand it, they having nearly given out. I reached the company in the evening, and reported to them the conclusions with regard to Weber cañon, at the same time stating that the route that I had blazed that day was fair, but would take considerable labor in clearing and digging. They agreed with unanimous voice to take that route if I would direct them in the road-making, they working faithfully until it was completed. Next morning we started under these conditions, and made camp that evening without difficulty on Bossman creek. The afternoon of the second day, we left the creek, turning to the right in a cañon, leading to a divide. Here Mr. Graves and family overtook us. This evening, the first accident that had occurred, was caused by the upsetting of one of my wagons. The next morning, the heavy work of cutting the timber commenced. We remained at this camp several days. During this time, the road was cleared for several miles ahead. After leaving this camp the work on the road slackened, and the farther we advanced, the slower the work progressed. I here state that the number of days we were detained in road-making, was not the cause, by any means, of the company remaining in the mountains during the following Winter. We progressed on our way, and crossed the outlet of the Utah, now called Jordan, a little below the location of Salt Lake City. From this camp in a day's travel we made connection with the trail of companies that Hastings was piloting through his Cut-off. We then followed his road around the lake without any incident worthy of notice until reaching a swampy section of country west of Black Rock, the name we gave it. Here we lost a few days on the score of humanity. One of our company, a Mr. Holloron, being in a dying condition from consumption. We could not make regular drives owing to his situation. He was under the care of George Donner, and made himself known to me as a Master Mason. In a few days he died. After the burial of his remains we proceeded on our journey, making our regular drives, nothing occurring of note until we arrived at the springs, where we were to provide water and as much grass as we could for the purpose of crossing the Hastings desert, which was represented as being forty or fifty miles in length (but we found it at least seventy miles). We started to cross the desert, traveling day and night, only stopping to water and feed our teams as long as water and grass lasted. We must have made at least two-thirds of the way across when a greater portion of the cattle showed signs of giving out. Here the company requested me to ride on and find the water and report. Before leaving I requested my principal teamster, that when my cattle became so exhausted that they could not proceed further with the wagons, to turn them out and drive them on the road after me until they reached the water, but the teamster misunderstanding, unyoked

them when they first showed symptoms of giving out, starting with them for water.

"I found the water about twenty miles from where I left the company and started on my return. About eleven o'clock at night I met my teamsters with all my cattle and horses. I cautioned them particularly to keep the cattle on the road, for as soon as they would scent the water they would break for it. I proceeded on and reached my family and wagons. Some time after leaving the men one of the horses gave out and while they were striving to get it along the cattle scented the water and started for it. And when they started with the horses the cattle were out of sight, they could not find them or their trail, as they told me afterwards. They, supposing the cattle would find water, went on to camp. The next morning the animals could not be found and they never were, the Indians getting them, except one ox and one cow. Losing nine yoke of cattle here was the first of my sad misfortunes. I stayed with my family and wagons the next day, expecting every hour the return of some of my young men with water, and the information of the arrival of the cattle at the water. Owing to the mistake of the teamsters in turning the cattle out so soon the other wagons had driven miles past mine and dropped their wagons along the road as their cattle gave out, and some few of them reached water with their wagons. Receiving no information and the water being nearly exhausted, in the evening I started on foot with my family to reach the water. In the course of the night the children became exhausted. I stopped, spread a blanket and laid them down, covering them with shawls. In a short time a cold hurricane commenced blowing; the children soon complained of the cold. Having four dogs with us I had them lie down with the children outside the covering. They were then kept warm. Mrs. Reed and myself sitting to the windward helped to shelter them from the storm. Very soon one of the dogs jumped up and started out barking, the others following making an attack on something approaching us. Very soon I got sight of an animal making directly for us; the dogs seizing it changed its course, and when passing I discovered it to be one of my young steers. Incautiously stating that it was mad, in a moment my wife and children started to their feet, scattering like quail, and it was some minutes before I could quiet camp; there was no more complaining of being tired or sleepy the balance of the night. We arrived about daylight at the wagons of Jacob Donner, the next in advance of me, whose cattle having given out, had been driven to water. Here I first learned of the loss of my cattle, it being the second day after they had started for the water. Leaving my family with Mrs. Donner, I reached the encampment. Many of the people were out hunting cattle; some of them had their teams together and were going back into the desert for their wagons. Among them Jacob Donner, who kindly brought my

family along with his own to the encampment. We remained here for days hunting cattle, some of the party finding all, others a portion, but all having enough to haul their wagons except myself.

"On the next day, or day following, while I was out hunting my cattle, two Indians came to the camp, and by signs gave the company to understand that there were so many head of cattle out, corroborating the number still missing; many of the people became tender-footed at the Indians coming into camp, and thinking they were spies, wanted to get clear of them as soon possible. My wife requested that the Indians should be detained until my return, but unfortunately before returning they had left. The next morning, in company with young Mr. Graves,—he kindly volunteering,—I started in the direction the Indians had taken; after hunting this day and the following, remaining out during the night, we returned unsuccessful, not finding a trace of the cattle. I now gave up all hope of finding them and turned my attention to making arrangements for proceeding on my journey.

"In the desert were my eight wagons; all the team remaining was an ox and cow. There was no alternative but to leave everything but provisions, bedding and clothing. These were placed in the wagon that had been used by my family. I made a cache of everything else, the members of the company kindly furnishing a team to haul the wagon to camp. I divided my provisions with those who were nearly out, and indeed some of them were in need. I had now to make arrangement for sufficient team to haul that one wagon; one of the company kindly loaned me a yoke of cattle, and with the ox and cow I had, made two yoke. We remained at this camp from first to last, if my memory is right, seven days.

"Leaving this camp we traveled for several days. It became necessary from some cause for the party who loaned me the yoke of cattle to take them. I was again left with my ox and cow, but through the aid of another kind neighbor I was supplied with a yoke of cattle.

"Nothing transpired for some days worthy of note. Some time after this it became known that some families had not enough provisions remaining to supply them through. As a member of the company, I advised them to make an estimate of provisions on hand and what amount each family would need to take them through. After receiving the estimate of each family, on paper, I then suggested that if two gentlemen of the company would volunteer to go in advance to Capt. Sutter's, (near Sacramento) in California, I would write a letter to him for the whole amount of provisions that were wanted, also stating that I would become personally responsible to him for the amount. I suggested that from the generous character of Capt. Sutter he would send them. Mr. McCutchen came forward and proposed that if they would take care of his family he would go. This the company agreed to. Mr. Stanton, a single man, volunteered, if they would

furnish him a horse ; Mr. McCutchen, having a horse and mule, generously gave the mule. Taking their blankets and some provisions they started for California. After their leaving us we traveled on for weeks, none of us knowing the distance we were from California. All became anxious for the return of McCutchen and Stanton.

"It was here suggested that I go in advance to California, see what had become of McCutchen and Stanton, and hurry up the supplies. They would take care of my family. That being agreed upon I started, taking with me about three days' provisions, expecting to kill game on the way. The Messrs. Donner were two days drive in advance of the main party when I overtook them. With George Donner there was a young man named Walter Herren, who joined me; with all the economy I could use, our provisions gave out in a few days ; I supplied our wants by shooting wild geese and other game when we could find any. The next day after I was joined by Herren, I proposed to him—I having a horse and he none—that we would ride half the day about ; it was thankfully accepted ; no game to be seen ; hunger began to be felt, and for days we traveled without hope or help. We reached the Sierra Nevada mountains ; I could have stopped here, and, hunting, found game. Then again I might not be successful. This would have delayed our progress and increased our hunger. The second day before we found relief, Herren wanted to kill the horse ; I persuaded him from it by stating that we might find relief soon, but before we would perish, I would kill the horse. Soon after this he became delirious ; this afternoon, while walking, I found a bean, and gave it to him, and then never was a road examined more closely for several miles than was this. We found in all five beans. Herren's share was three of them. We camped that night in a patch of grass a short distance off the road. Next morning, after traveling a few miles, we saw some wagons.

"We soon reached and ransacked the wagons, hoping to find something to eat ; but found nothing. Taking the tar bucket that was hanging under one of the wagons, I scraped the tar off and found a streak of rancid tallow at the bottom. I remember well that when I announced what I had found, Herren, who was sitting on a rack near by, got up, hallooing with all the strength he had, and came to me. I handed the tar paddle to him having some of the tallow about the size of a walnut on it. This he swallowed without giving it a smell. I then took a piece myself but it was very repulsive. He, craving more, I gave him another piece. Still wanting more, I positively refused, stating that it would kill him. After leaving the wagons, probably fifty yards, I became deadly sick and blind. In resting myself against a rock, I leaned my head on the muzzle of my gun. Herren, seeing my condition, came to me and said : "My God. Mr. Reed, are you dying !" After resting a few minutes, I recovered, much to his joy.

"The wagons were within a short distance of the steep descent going down into Bear River valley. After descending the first steep pitch, I discovered wagons in the valley below us. "Herren," said I, "there are wagons in the valley," pointing to them. When he saw them, he gave vent to his joy, hallooing at the top of his voice, but could not be heard ten rods off, he being so weak. The sight of the wagons revived him and he descended the mountain with all his ability.

"On reaching the wagons we found several families of emigrants, who supplied us with bread. I here met Mr. Stanton, with two Indians, on his return to the company with provisions sent by Capt. Sutter, on receiving my letter. Next morning Mr. Stanton started for the company and myself for Capt. Sutter's.

"When I arrived, making known my situation to him, asking if he would furnish me horses and saddles to bring the women and children out of the mountains, [I expected to meet them at the head of Bear valley by the time I could return there], he at once complied with the request; also, saying that he would do everything possible for me and the company. On the evening of my arrival at the Captain's, I found Messrs. Bryant, Lippen-cott, Grayson, and Jacobs, some of the early voyagers in the Russel company, they having left that company at Fort Laramie, most of them coming on horseback.

"During the evening a meeting was held, in which I participated, adopting a memorial to the commander of Sutter's Fort, to permit them to raise one or more companies of volunteers, to proceed to Los Angeles, we being at war with Mexico at this time. The companies were to be officered by the petitioners. Being requested to take command of one of the companies, I declined, stating that it would be necessary for the Captain to be with the company; also, that I had to return to the mountains for the emigrants; but that I would take a Lieutenancy. This was agreed to, and I was, on my return to the emigrants, to enlist all the men I could between there and Bear valley. On my way up I enlisted twelve or thirteen.

"The second night after my arrival at Captain Sutter's, we had a light rain; next morning we could see snow on the mountains. The Captain stated that it was low down and heavy for the first fall of the season. The next day I started on my return, with what horses and saddles Captain Sutter had to spare. He furnished us all the flour needed, and a hindquarter of beef, giving me an order for more horses and saddles at Mr. Cordway's, near where Marysville is located. In the meantime Mr. McCutchen joined me, he being prevented from returning with Mr. Stanton, on account of sickness. After leaving Johnson's ranch we had thirty horses, one mule, with two Indians to help drive.

"Nothing happened until the evening before reaching the head of Bear

valley, when commenced a heavy rain and sleet, continuing all the night. We drove on until a late hour before halting. We secured the flour and horses, the rain preventing us from kindling a fire; next morning proceeding up the valley to where we were to take the mountain, we found a tent, containing a Mr. Curtis and wife. They hailed us as angels sent for their delivery, stating that they would have perished had it not been for our arrival. Mrs. Curtis stated that they had killed their dog, and at the time of our arrival had the last piece in the Dutch oven baking. We told them not to be alarmed about anything to eat, for we had plenty, both of flour and beef; that they were welcome to all they needed. Our appetites were rather keen, not having eaten anything from the morning of the day previous. Mrs. Curtis remarked that in the oven was a piece of the dog, and that we could have it. Raising the lid of the oven, we found the dog well baked, and of a fine savory smell. I cut out a rib, smelling and tasting, found it to be good, handed the rib over to Mr. McCutchen, who, after smelling it some time, ate it, and pronounced it very good dog. We partook of Curtis' dog. Mrs. Curtis immediately commenced making bread, and in a short time had supper for all.

"At the lower end of the valley where we entered, the snow was eighteen inches in depth, and when we arrived at the tent, it was two feet. Curtis stated that his oxen had taken the back track; that he had followed them by the trail through the snow. In the morning before leaving, Mrs. Curtis got us to promise to take them into the settlement when on our return with the women and children. Before leaving we gave them flour and beef sufficient to keep them until our return, expecting to do so in a few days.

"We started, following the trail made by the oxen, and camped a number of miles up the mountain. In the night, hearing some of the horses going down the trail, we went to the spot where the Indians had lain down, and found they had gone. McCutchen mounted his horse and rode down the mountain to Curtis' camp; found that the Indians had been there, stopped and warmed themselves, and then started down the valley. He returned to camp about the middle of the night.

"Next morning we started, still on the trail of the oxen, but unfortunately the trail turned off to the left from our direction. We proceeded on, the snow deepening rapidly, our horses struggling to get through, we pushed them on until they would rear upon their hind feet to breast the snow, and when they would alight, they would sink in it until nothing was seen of them but the nose and a portion of the head. Here we found that it was utterly impossible to proceed further with the horses. Leaving them, we proceeded further on foot, thinking that we could get in to the people; found that impossible, the snow being soft and deep.

"I may here state that neither of us knew anything about snow-shoes,

having always lived in a country where they never were used. We were here compelled to return, and, with sorrowful hearts, we arrived that night at the camp of Mr. Curtis, telling them to make arrangements for leaving with us in the morning. Securing our flour in the wagon of Mr. Curtis, so that we could get it on our return, we packed one horse with articles belonging to Mr. and Mrs. Curtis, and started down the valley to where the snow was light, and where there was considerable underbrush so that our famished animals could browse, they not having eaten anything for several days.

"After packing Mr. Curtis' horse for him the next morning, we started; in a short time, Mr. and Mrs. Curtis proceeded ahead, leaving the pack-horse behind for us to drive, instead of his leading him; we having our hands full in driving the loose ones they scattering in all directions. The pack turned on the horse. Mr. Curtis was requested to return and help repack, and lead his horse, but he paid no attention to us. We stood this for some time; finally McCutchen became angry, and started after him, determined to bring him back. When he got with him he paid no attention to McCutchen's request to return; Mc. becoming more exasperated, hit him several times over the shoulder with his riata. This brought him to his senses. He said if Mc. would not kill him he would come back and take care of his pack animal, and he did.

"As soon as we arrived at Captain Sutter's I made a statement of all the circumstances attending our attempt to get into the mountains. He was no way surprised at our defeat. I also gave the Captain the number of head of cattle the company had when I left them. He made an estimate and stated that if the emigrants would kill the cattle, and place the meat in the snow for preservation, there was no fear of starvation until relief could reach them. He further stated that there were no able-bodied men in that vicinity, all having gone down the country with and after Fremont, to fight the Mexicans. He advised me to proceed to Yerba Buena, now San Francisco, and make my case known to the naval officer in command.

"I left Captain Sutter's, by way of San José, for San Francisco, being unable to come by water. When I arrived at San José, I found the San Francisco side of the bay was occupied by the Mexicans. Here I remained and was attached to a company of volunteers, commanded by Captain Weber, until after the fight at Santa Clara.

"The road now being clear I proceeded to San Francisco, with a petition from some of the prominent citizens of San José, asking the commander of the navy to grant aid to enable me to return to the mountains. Arriving at San Francisco, I presented my petition to Commodore Hull, also making a statement of the condition of the people in the mountains as far as I knew; the number of them, and what would be needed in provisions and help to

get them out. He made an estimate of the expense that would attend the expedition, and said that he would do anything within reason to further the object, but was afraid that the department at Washington would not sustain him, if he made the general outfit. His sympathy was that of a man and a gentleman.

"I also conferred with several of the citizens of Yerba Buena. Their advice was not to trouble the Commodore further. That they would call a meeting of the citizens and see what could be done. At the meeting the situation of the people was made known, and committees were appointed to collect money. Over one thousand dollars was raised in the town, and the sailors of the fleet gave over three hundred dollars. At the meeting, Midshipman Woodworth volunteered to go into the mountains. Commodore Hull gave me authority to raise as many men, with horses, as would be required. The citizens purchased all the supplies necessary for the outfit and placed them on board the schooner —, for Hardy's ranch, mouth of Feather river. Midshipman Woodworth took charge of the schooner, and was the financial agent of the Government.

"I left in a boat for Napa by way of Sonoma, to procure men and horses, and when I arrived at Mr. Gordon's, on Cache creek, I had all the men and horses needed. From here I proceeded to the mouth of Feather river for the purpose of meeting Mr. Woodworth with the provisions. When we reached the river the boat had not arrived. The water was very high in the river, the tule lands being overflowed. From here I sent a man to a point on the Sacramento river opposite Sutter's Fort, to obtain information of the boat with our provisions; he returned and reported the arrival of the boat at the fort.

"Before leaving Yerba Buena, news came of a party of fifteen persons having started from the emigrant encampment and only seven getting in to Johnson's. I was here placed in a quandary—no boat to take us across the river, and no provisions for our party to take into the mountains. We camped a short distance back from the river, where we killed a number of elk, for the purpose of using the skins in covering a skeleton boat. Early next morning we started for the river and to our delight saw a small schooner, belonging to Perry McCan, which had arrived during the night. We immediately crossed, McCutchen and myself, to the opposite bank of the river. I directed the men to cross and follow us to Johnson's ranch. We arrived there early that day. Making known our situation, he drove his cattle up to the house, saying, "There are the cattle, take as many as you need." We shot down five head, stayed up all night, and, with the help of Johnson and his Indians, by the time the men arrived next morning, we had the meat fire-dried and ready to be placed in bags. Mr. Johnson had a party of Indians making flour by hand-mills, they making during the night nearly two hundred pounds.

" We packed up immediately and started. After reaching the snow, the meat and flour was divided in suitable packs for us to carry, we leaving the horses here. At Johnson's, I learned that a relief party had passed in a few days previous, being sent by Captain Sutter and Mr. Sinclair.

" Leaving a man at this camp with all the extra provisions we could not pack, with instructions to prepare a camp for the parties coming out, we passed on, and at the head of Bear valley met the band returning with some of the women and children. Among them was my wife and two of my children. We delayed no time, only a few minutes, and pushed on until the snow became too soft for us to travel on. Then stopping until it froze sufficient to bear us ; we traveled all this night, and about the middle of the next day we arrived at the first camp of emigrants, being Mr. Breen's. If we left any provisions here it was a small amount, he and his family not being in want. We then proceeded to the camp of Mrs. Murphy, where Keysburg and some children were. Here we left provisions and one of our party to cook and attend them. From here we visited the camp of Mrs. Graves, some distance further east. A number of the relief party remained here, while Messrs. Miller, McCutchen and one of the men and myself proceeded to the camp of the Messrs. Donner. This was a number of miles further east.

" We found Mrs. Jacob Donner in a very feeble condition. Her husband had died early in the Winter. We removed the tent and placed it in a more comfortable situation. I then visited the tent of Geo. Donner, close by, and found him and his wife. He was helpless. Their children and two of Jacob's having come out with the party we met at the head of Bear valley.

" I requested Mrs. George Donner to come out with us, as I would leave a man to take care of both George Donner and Mrs. Jacob Donner. Mrs. George Donner positively refused, saying that as her children were all out she would not leave her husband in the situation he was in. After repeatedly urging her to come out, and she as positively refusing, I was satisfied in my own mind that Mrs. George Donner remained with her husband from pure love and affection, and not for money.

" When I found that Mrs. George Donner would not leave her husband, we took the three remaining children of Jacob Donner, leaving a man to take care of the two camps. Leaving all the provisions we could spare, and expecting the party from Sutter's Fort would be in in a few days, we returned to the camp of Mrs. Graves, where all remained during the night, except McCutchen, Miller and myself, we going to the cabin of Mr. Breen, where two of my children were. Notice was given in all the camps that we would start on our return to Sutter's early the next day. About the middle of the day we started, taking with us all who were able to travel; in a short time we reached Donner lake. Traveling on ice a short distance we made

camp on the eastern side. Here were several springs; in the water were many small fish. . The next day we traveled up to the head of the lake on the ice, making camp here for the night. From this camp I sent in advance of us two of our men, Jondrieux and Dofar, good mountaineers, for the purpose of getting the provisions in our last cache and returning with them, they to meet us on the road the next day.

"When coming in we made three caches, or deposits of beef. Two of them were made by taking a bag of dried beef to the top of a pine sapling, then securing it, cutting all the limbs off the tree to prevent animals from getting up and destroying the meat.

"The next morning we proceeded up the mountain, and in the evening we came to one of the camping places of the party we had met in Bear valley.

"With a little repair everything necessary for building a fire on the snow, which was twenty feet, at least, in depth, was here. We camped for the night. During all this day the sky had been overcast, threatening a storm. This night a heavy snow-storm burst upon us, continuing all this night, and the following day and night, and up to the middle of the next day. Our provisions gave out, and one of the children died. I expected the two men, Jondrieux and Dofar, at the latest to be back the morning after we had made camp here. But the storm had overtaken them. They found the cache had been destroyed by animals, and had proceeded on to the next one, finding that partly destroyed. There they were snow-bound and were nearly perishing.

"As soon as the storm abated, we made preparations for leaving. All that were able started, with the exception of Mr. Breen and family. He stated that if he had to die, he would rather die in camp than on the way. A strange proceeding of Mr. Breen, when he and his family were all strong enough to travel. We remonstrated with him, advising him to come with us; that if we perished, let us all die together in the effort to get out. Finding that we could not prevail upon him, I asked some of the men standing by to witness that I then told Mr. Breen "that if his family died, their blood be upon his head, and not on ours."

"We had not proceeded far before the weather became intensely cold, and when we stopped for the night many of the party had their feet frozen. The next day our travel was slow, many in pain. When night came on those in advance camped, the next coming straggling in making considerable noise. This gave the camp of Mr. Woodworth the first intimation of our proximity to them. He sent some of his party to us, requesting that we would come down to his encampment; but the most of us having laid down for the night, declined going, but would be glad if he would send us something to eat, which he did, and some of the party who had not camped went

down. Next morning Mr. Woodworth proceeded on with all haste, and my impression is that two or three of our party went back with them.

"We proceeded slowly, and the second night, we reached the encampment at Bear valley, in company with Mr. Woodworth, he returning to Sutter's Fort. From here a majority of the party rode to Sutter's, I stopping at Mr. Sinclair's."

Of the residents who arrived in 1847, we have the names of Dr. Ben. Cory, S. O. Houghton, James McCormick, A. Pfister.

No single event has, probably, created so much exciting interest in this valley as did the killing of young Pyle by Valencia, in 1847, and the discovery and execution of the murderer in 1849. From a great many different stories in regard to the occurrence we glean the following facts:—

In 1847, a young son of Edward Pyle visited the ranch of Anistasio Chabolla south of San José, for the purpose of playing with the young Spanish boys on the ranch. During the play, one of the boys, named Valencia, and a nephew of Chabolla, accidentally injured the horse of young Pyle. The horse was so nearly disabled by the accident that another one was procured to carry Pyle home. After the latter had left the ranch, Valencia's companions began to plague him about his awkwardness, and saying that when Pyle reached home he would tell how his horse had been hurt and his folks would make Valencia's mother pay for it.

Valencia appears to have been a very sensitive boy, and the jeers of his companions worked him up to such an extent that he jumped on a horse and followed Pyle with the determination to not allow him to tell anything about the accident.

He soon overtook Pyle, and, throwing his riata, dragged him from his horse and for several hundred feet along the road. He then cut his throat with his knife, and dragged the body into the foot-hills and covered it with rubbish.

When Pyle did not return home, his friends instituted search for him, making inquiries in all directions, but in vain. No clue was obtained to his whereabouts, although murder was suspected, until 1849, and the manner in which the murder was finally discovered is yet a subject of dispute. Fred. Hall, in his history says that in the year 1849, a brother of the deceased Pyle was in the San Joaquin valley, where he met a man whom he believed knew that his brother had been murdered, and by whom. Pyle embraced an opportunity when alone with this man, and, pointing his gun at his breast said: "If you do not tell me all about the murder of my brother, I will kill you right here." The man finally confessed that he knew all about the death of young Pyle and related the facts substantially as stated above. Pyle brought the man to this valley, and through his aid found the remains of his brother, and caused the arrest of Valencia.



GR Baker

Another story, and one which we are inclined to credit, comes from Julius Martin, of Gilroy. In 1849, Martin had a lot of cattle at or in the immediate vicinity of Mormon Island. One of his Spanish vaqueros, named Camillo Ramero, was taken sick with a fever, and Martin brought him to his home in this valley. One night, after dark, as they were riding along a little this side of Bernal's, Ramero was taken with a chill, and thought he was going to die. While in this condition, he told Martin all about the murder of young Pyle, who did it, how it was done, and where the body had been deposited. Among other things he told him that after Valencia had dragged Pyle he left him, but, meeting his uncle, Anistasio Chabolla, his uncle told him that he must go back and kill Pyle and bury him; that if he allowed him to live he would tell his friends, and the Americans would hang him (Valencia). He worked on the boy's fears in this manner until Valencia went back, found Pyle, cut his throat, and buried him in the foot-hills beyond Silver creek. Mr. Martin, on hearing Ramero's story, immediately came to town, and meeting Cad Keyes told him what he had heard. Keyes happened to find John Pyle in town, and they made up a *posse* and arrested Valencia.

A party consisting of Peter Davidson, John Pyle, Wm. McCutchen, and other persons whose names we are not able to recall, went out to find young Pyle's remains. They were discovered in the place indicated by Ramero. They also discovered that Valencia had been living a life of torment ever since he had committed the deed. From the place where he lived to the spot where he had buried his victim a path had been worn by his frequent visits to the grave. It is said that scarcely a night passed that he did not go out in the hills and remain several hours at this spot.

After his arrest, Valencia was arraigned before R. H. Dimmick, Judge of First Instance, and made a confession in which he acknowledged the killing of Pyle, saying that Chabolla induced him to do it. He was tried by a jury and convicted on his confession and other corroborating circumstances.

He seemed relieved that his crime had been detected, and made no effort at defense. His conscience had evidently been a continual torture to him ever since the deed was committed and he was glad to make atonement. At one time an opportunity was presented for his escape. It was after the trial, the prisoner was in the Court House loosely guarded, when a Mexican rode up, dismounted, and remarked that he had a fast horse, if anybody wanted it. Valencia, however, would not avail himself of the offer. While lying in jail awaiting his execution, he told an American that he did not wish to live; that whenever he closed his eyes, he could see Pyle on his hands and knees, with his tongue out, staring at him and that the continual presence of this apparition had made life a torment.

He was executed on Market plaza, San José, in the presence of Judge Dimmick, then Alcalde, and a large number of spectators. This was the second execution of the death penalty in this county.

In 1848, there came M. Barbat, A. A. Case, Doctor W. H. Warburton, and others; but this was not a year when permanent settlements were made in agricultural districts.

Who does not think of '48 with feelings almost akin to inspiration?

The year 1848 is one wherein was reached the nearest attainment of the discovery of the Philosopher's stone, which it has been the lot of Christendom to witness. On January 19th, gold was discovered at Coloma, on the American river, and the most unbelieving and cold-blooded were, by the middle of Spring, irretrievably bound in its fascinating meshes. The wonder is, that the discovery was not made earlier. Emigrants, settlers, hunters, practical miners, scientific exploring parties had camped on, settled in, hunted through, dug in, and ransacked the region, yet never found it; the discovery was entirely accidental. Franklin Tuthill, in his History of California, tells the story in these words: "Captain Sutter had contracted with James W. Marshall, in September, 1847, for the construction of a saw-mill in Coloma. In the course of the Winter a dam and race were made, but, when the water was let on, the tail-race was too narrow. To widen and deepen it, Marshall let in a strong current of water directly to the race, which bore a large body of mud and gravel to the foot.

"On the 19th of January, 1848, Marshall observed some glittering particles in the race, which he was curious enough to examine. He called five carpenters on the mill to see them; but though they talked over the possibility of its being gold, the vision did not inflame them. Peter L. Weimar claims that he was with Marshall when the first piece of 'yellow stuff' was picked up. It was a pebble weighing six pennyweights and eleven grains. Marshall gave it to Mrs. Wiemar, and asked her to boil it in saleratus water and see what came of it. As she was making soap at the time, she pitched it into the soap kettle. About twenty-four hours afterward it was fished out and found all the brighter for its boiling.

"Marshall, two or three weeks later, took the specimens below, and gave them to Sutter to have them tested. Before Sutter had quite satisfied himself as to their nature, he went up to the mill, and, with Marshall, made a treaty with the Indians, buying of them their titles to the region round about, for a certain amount of goods. There was an effort made to keep the secret inside the little circle that knew it, but it soon leaked out. They had many misgivings and much discussion whether they were not making themselves ridiculous; yet by common consent all began to hunt; though with no great spirit, for the 'yellow stuff' that might prove such a prize.

"In February, one of the party went to Yerba Buena, taking some of the dust with him. Fortunately he stumbled upon Isaac Humphrey, an old Georgian gold-miner, who, at the first look at the specimens, said they were gold, and that the diggings must be rich. Humphrey tried to induce some

of his friends to go up with him to the mill, but they thought it a crazy expedition, and left him to go alone. He reached there on the seventh of March. A few were hunting for gold, but rather lazily, and the work on the mill went on as usual. Next day he began 'prospecting,' and soon satisfied himself that he had struck a rich placer. He made a rocker, and then commenced work in earnest.

"A few days later, a Frenchman, Baptiste, formerly a miner in Mexico, left the lumber he was sawing for Sutter at Weber's, ten miles east of Coloma, and came to the mill. He agreed with Humphrey that the region was rich, and, like him, took to the pan and the rocker. These two men were the competent practical teachers of the crowd that flocked in to see how they did it. The lesson was easy, the process simple. An hour's observation fitted the least experienced for working to advantage."

Slowly and surely, however, did these discoveries creep into the minds of those at home and abroad; the whole civilized world was set agog with the startling news from the shores of the Pacific. Young and old were seized with the California fever; high and low, rich and poor were infected by it; the prospect was altogether too gorgeous to contemplate. Why, they could actually pick up a fortune for the seeking it! Positive affluence was within the grasp of the weakest; the very coast was shining with the bright metal, which could be obtained by picking it out with a knife.

Says Tuthill: "Before such considerations as these, the conservatism of the most stable bent. Men of small means, whose tastes inclined them to keep out of all hazardous schemes and uncertain enterprises, thought they saw duty beckoning them around the Horn, or across the Plains. In many a family circle, where nothing but the strictest economy could make the two ends of the year meet, there were long and anxious consultations, which resulted in selling off a piece of the homestead or the woodland, or the choicest of the stock, to fit out one sturdy representative to make a fortune for the family. Hundreds of farms were mortgaged to buy tickets for the land of gold. Some insured their lives and pledged their policies for an outfit. The wild boy was packed off hopefully. The black sheep of the flock was dismissed with a blessing, and the forlorn hope that, with a change of skies, there might be a change of manners. The stay of the happy household said, 'Good-bye, but only for a year or two,' to his charge. Unhappy husbands availed themselves cheerfully of this cheap and reputable method of divorce, trusting Time to mend or mar matters in their absence. Here was a chance to begin life anew. Whoever had begun it badly, or made slow headway on the right course, might start again in a region where Fortune had not learned to coquette with and dupe her wooers.

"The adventurers generally formed companies, expecting to go overland or

by sea to the mines, and to dissolve partnership only after a first trial of luck, together in the 'diggings.' In the Eastern and Middle States they would buy up an old whaling ship, just ready to be condemned to the wreckers, put in a cargo of such stuff as they must need themselves, and provisions, tools, or goods, that must be sure to bring returns enough to make the venture profitable. Of course, the whole fleet rushing together through the Golden Gate, made most of these ventures profitless, even when the guess was happy as to the kind of supplies needed by the Californians. It can hardly be believed what sieves of ships started, and how many of them actually made the voyage. Little river-steamers, that had scarcely tasted salt water before, were fitted out to thread the Straits of Magellan, and these were welcomed to the bays and rivers of California, whose waters some of them ploughed and vexed busily for years afterwards.

"Then steamers, as well as all manner of sailing vessels, began to be advertised to run to the Isthmus; and they generally went crowded to excess with passengers, some of whom were fortunate enough, after the toilsome ascent of the Chagres river, and the descent either on mules or on foot to Panama, not to be detained more than a month waiting for the craft that had rounded the Horn, and by which they were ticketed to proceed to San Francisco. But hundreds broke down under the horrors of the voyage in the steerage; contracted on the Isthmus the low typhoid fevers incident to tropical marshy regions, and died.

"The overland emigrants, unless they came too late in the season to the Sierras, seldom suffered as much, as they had no great variation of climate on their route. They had this advantage too, that the mines lay at the end of their long road; while the sea-faring, when they landed, had still a weary journey before them. Few tarried longer at San Francisco than was necessary to learn how utterly useless were the curious patent mining contrivances they had brought, and to replace them with the pick and shovel, pan and cradle. If any one found himself destitute of funds to go farther, there was work enough to raise them by. Labor was honorable; and the daintiest dandy, if he were honest, could not resist the temptation to work where wages were so high, pay so prompt, and employers so flush.

"There were not lacking in San Francisco, grumblers who had tried the mines and satisfied themselves that it cost a dollar's worth of sweat and time, and living exclusively on bacon, beans, and 'slap-jacks,' to pick a dollar's worth of gold out of rock, or river bed, or dry ground; but they confessed that the good luck which they never enjoyed, abode with others. Then the display of dust, slugs, and bars of gold in the public gambling places; the sight of men arriving every day freighted with belts full, which they parted with so freely, as men only can when they have got it easily; the testimony of the miniature rocks; the solid nuggets brought down from above every

few days, whose size and value rumor multiplied according to the number of her tongues. The talk, day and night, unceasingly and exclusively of 'gold, easy to get and hard to hold,' inflamed all new-comers with the desire to hurry on and share the chances. They chafed at the necessary detentions. They nervously feared that all would be gone before they should arrive.

"The prevalent impression was that the placers would give out in a year or two. Then it behooved him who expected to gain much, to be among the earliest on the ground. When experiment was so fresh in the field, one theory was about as good as another. An hypothesis that lured men perpetually further up the gorges of the foot-hills, and to explore the cañons of the mountains, was this: that the gold which had been found in the beds of rivers, or in gulches through which streams once ran, must have been washed down from the places of original deposit further up the mountains. The higher up the gold-hunter went, then, the nearer he approached the source of supply.

"To reach the mines from San Francisco, the course lay up San Pablo and Suisun bays, and the Sacramento—not then, as now, a yellow, muddy stream, but a river pellucid and deep—to the landing for Sutter's Fort; and they who made the voyage in sailing vessels, thought Mount Diablo significantly named, so long it kept them company and swung its shadow over their path. From Sutter's the most common route was across the broad, fertile valley to the foot-hills, and up the American or some one of its tributaries; on, ascending the Sacramento to the Feather and the Yuba, the company staked off a claim, pitched its tent or constructed a cabin, and set up its rocker, or began to oust the river from a portion of its bed. Good luck might hold the impatient adventurers for a whole season on one bar; bad luck scattered them always further up. * * * *

"Roads sought the mining camps, which did not stop to study roads. Traders came in to supply the camps, and not very fast, but still to some extent; mechanics and farmers to supply both traders and miners. So, as if by magic, within a year or two after the rush began, the map of the country was written thick with the names of settlements.

"Some of these were the nuclei of towns that now flourish and promise to continue as long as the State is peopled. Others, in districts where the placers were soon exhausted, were deserted almost as hastily as they were begun, and now no traces remain of them except the short chimney-stack, the broken surface of the ground, heaps of cobble-stones, rotting, half-buried sluice-boxes, empty whisky bottles, scattered playing cards and rusty cans.

"The 'Fall of '49 and Spring of '50' is the era of California history which the pioneer always speaks of with warmth. It was the free and easy age when everybody was flush, and fortune, if not in the palm, was only just

beyond the grasp of all. Men lived chiefly in tents, or in cabins scarcely more durable, and behaved themselves like a generation of bachelors. The family was beyond the mountains; the restraints of society had not yet arrived. Men threw off the masks they had lived behind, and appeared out in their true character. A few did not discharge the consciences and convictions they had brought with them. More rollicked in a perfect freedom from those bonds which good men cheerfully assume in settled society for the good of the greater number. Some afterwards resumed their temperate and steady habits, but hosts were wrecked before the period of their license expired.

"Very rarely did men, on their arrival in the country, begin to work at their old trade or profession. To the mines first. If fortune favored, they soon quit for more congenial employments. If she frowned, they might depart disgusted, if they were able; but oftener, from sheer inability to leave the business, they kept on, drifting from bar to bar, living fast, reckless, improvident, half-civilized lives; comparatively rich to-day, poor to-morrow; tormented with rheumatisms and agues, remembering dimly the joys of the old homestead; nearly weaned from the friends at home, who, because they were never heard from, soon became like dead men in their memory; seeing little of women and nothing of churches; self-reliant, yet satisfied that there was nowhere any 'show' for them; full of enterprise in the direct line of their business, and utterly lost in the threshold of any other; genial companions, morbidly craving after newspapers; good fellows, but short-lived."

Such was the maelstrom which dragged all into its vortex thirty years ago! Now, almost the entire generation of pioneer miners, who remained in that business has passed away, and the survivors feel like men who are lost and old before their time, among the new comers, who may be just as old, but lack their long, strange chapter of adventures.

In the Spring of 1848 the treaty of peace was signed by which California was annexed to the United States, and on the first day of September, 1849, the first Constitutional Convention was commenced at Monterey. The first Legislature met at San José, December 13, 1849, as we have elsewhere shown, while settlers commenced to arrive in that year in such numbers, and have since so steadily increased that it has been an utter impossibility to follow them.

As the histories of the different townships will exemplify the rapidity with which they have been settled so must it remain for the reader to cull to his own tastes.

With the establishment of American rule courts of justice were inaugurated and the machinery of government set in motion; with the offices came the proper officials, since when Santa Clara county has flourished in a wonderful degree.

As the history of San José necessarily contains most of actual county history which could not be segregated therefrom, we refer the reader to that portion of our work, while we conclude this chapter with the relation of the two following anecdotes told of prominent members of the community:—

The following tale, among many others, is told of Judge —, who unhappily was given to too frequent resort to the festive goblet. He was old and lame, and aside from his intemperate habits, was generally regarded as wholly incompetent for the position. It is related that the Bar became so thoroughly dissatisfied with this dispenser of justice, that on a certain occasion they sent him a request to resign, signed by every member in the county. As the Court was then in session, on the morning following the presentation of this request, every lawyer was present at the opening of the Court anxious to see what effect the petition would have upon the Judge. As the time arrived, the Judge entered the court-room, and perfectly sober. His countenance wore a sad and contrite expression. As he walked, with halting steps, down the aisle, he awakened a feeling of pity in the breasts of several who had signed the petition, and they sincerely regretted the steps they had taken. The Court opened with a "Hear ye," etc., and the venerable form of the Judge rose from the Bench. After looking timidly around, he commenced in a faltering voice to address the Bar. "Gentlemen of the Bar," said he, "last night I received a petition from you, couched in respectful language, setting forth certain reasons why I should tender my resignation as Judge of this Court. Conscious of my many infirmities, and realizing the necessity of a pure judiciary, throughout the silent hours of the past night I have had your petition under painful, and I may add prayerful, consideration." Here the eyes of some of the more sympathetic of his listeners were moistened with tears. The Judge continued: "I feel, gentlemen, that you have acted from a high sense of duty in this matter; and in responding to your petition, requesting my resignation, I will simply say that"—straightening himself up and changing entirely his manner and his tone of voice—"I will see you all in — first, and then I wouldn't. Mr. Clerk, call the next case." The effect was somewhat startling.

The other tale is of Judge —, who relates many anecdotes against himself, but the one about covering the old woman's house in 1847 he seldom touches upon. Now in those days there were not more than five or six houses in San José that were covered with shingles or shakes. The Judge one fine morning made his appearance in San José with his box of tools on his shoulder, looking for a job of work, and he soon heard of an old lady who had a house to be roofed. The Judge went to see her, and they soon made a bargain. The Judge went to work immediately, as the old lady had all the materials on hand. In due time the Judge finished the job, got paid and went on his way rejoicing, leaving the old lady in great glee to think that

she was living in a house covered with shingles. Now this old lady was a Californian woman, and had not seen many houses covered with shingles or shakes, and consequently did not know how they were to be put on, but thought that *los Americanos* did. The "roofer," however, had laid the shingles so that the thick ends pointed towards the highest part of the roof. Consequently the largest portion of the water that dropped on the house fell inside, and the old lady was therefore no better off than she would be if she had no roof at all. There happened to be living in this county then one William Gulnac. When Gulnac went to town from his place he had to pass the old lady's house, and if there should happen to be any one with him they would stop in front of the house and have a laugh. This hilarity at the expense of her house went on until the old lady took notice of it, and directed her children to tell her the next time Mr. Gulnac stopped in front of the house and laughed, as she had a curiosity to know how her mansion—a newly roofed one at that—could thus excite his risibilities. No more than a day or so had elapsed before the children came running into the kitchen and told her that Mr. G. and another man were in the street laughing, when she sent for him to come in. When he had come in she asked: "Why do you laugh every time you pass my house? Is it because I have taken off the old grass roof and got a house like the *Americanos* that you are making fun of it?" "No," said G., "did you ever hear of me making fun of any one, my dear madam? Who did you get to put this roof on for you?" "Oh," said the lady, "he was a long, lank *Americano* that said his name was Precam." "Why," said Mr. G., "you are no better off when it rains than if you lived in the street, for all the water that comes in contact with the roof will enter the house." To prove this he put a boy on the roof and passed up a bucket of water and told him to spill it on the house. Lo and behold! all of it came down on the floor.

That may be the reason why the Judge left the carpenter business and became a lawyer; for as a roofer, in this one instance, at least, he did not succeed in covering himself with glory.



THE MEXICAN WAR.

WHEN the present century had but come of age, Mexico ceased to be a portion of the Spanish realm, and plunged, by itself, into the undiscovered mysteries of Statecraft. Iturbide, under the title of August I., was elected Constitutional Emperor, May 19, 1822, and after reigning for a brief period was forced to abdicate; he however returned to the government of his Empire and lost both his head and his crown.

About this time California would appear to have found extreme favor in the jealous eyes of three great powers, namely: France, the United States, and Great Britain. In the year 1818, Governor Sola received a communication from Friar Marquinez, of Guadalaxara, in Old Spain, wherein he informs His Excellency of the rumors of war between the United States and Spain, while, in February of the following year, Father José Sanchez, writes to the same official that there is a report abroad of the fitting out of an American expedition in New Mexico. Both of these epistles remark that California is the coveted prize. Great Britain wanted it, it is said, for several reasons, the chief of which was, that in the possession of so extended a coastline she would have the first harbors in the world for her fleets. This desire would appear to have been still manifested in 1840, for we find in February of that year, in the *New York Express*, the following: "*The Californias*.—The rumor has reached New Orleans from Mexico of the cession to England of the Californias. The cession of the two provinces would give to Great Britain an extensive and valuable territory in a part of the world where she has long been anxious to gain a foot-hold, besides securing an object still more desirable—a spacious range of sea-coast on the Pacific, stretching more than a thousand miles from the forty-second degree of latitude south, sweeping the peninsula of California, and embracing the harbors of that gulf, the finest in North America."

In the meantime that epidemic so chronic to Mexico, a revolution, had broken out in the year 1836, but nothing of interest occurred in respect to the portion of California of which we write save the departure from San José of a few of the settlers to join the opposing factions. While this strife was going on Governor Alvarado was appointed to rule California, an office he held until December, 1842, before when the difference between the Government and the revolutionists had been arranged.

This adjustment, however, left misunderstandings rife between the two highest functionaries in the Department of California; the Civil and Military authority could not agree, each therefore complained of the other to the

Central Government, who secretly dispatched General Micheltorena to assume the two-fold power of Civil and Military Governor in place of Governor Alvarado and General Vallejo. On seeing the turn which affairs had taken against them, these two officials agreed to lay aside their bickerings and make common cause against Micheltorena, whom they designated an usurper, and aided by General Castro, drive him from the soil they deemed he tainted. The triumvirate declared California independent, and declared war against the representative of Mexico. General Micheltorena having seen the guage of battle thrown in his teeth, took the field to bring to speedy end the insurrection; he advanced to within twelve miles of San José, but discovering that this portion of the country was up in arms, he beat a retreat, and halted not until he reached San Juan Bautista which the insurgents carried in spite of Micheltorena's defense, in November, 1844. From this blow he never rallied, and at last, in February, 1845, he paid eleven thousand dollars for a passage on board the bark *Don Quixote*, Captain Paty, to be taken to San Blas. He joined this craft at San Pedro with about a hundred of his officers and men, and then proceeding to Monterey took the General's lady and several others and sailed for a more propitious shore. On the termination of strife, Pio Pico was immediately voted to the Gubernatorial Chair, and José Castro appointed General.

In the month of March, 1845, Brevet-Captain John Charles Fremont departed from Washington for the purpose of organizing a third expedition for the topographical survey of Oregon and California, which having concluded, he left Rent's Fort on or about April 16th, his command consisting of sixty-two men, among them being Kit Carson and six Delaware Indians. Passing through the Sierra Nevada in December, they arrived at Sutter's Fort on the 10th of that month, which, after a stay only of two days, they left, for Fremont was on the search for a missing party of his explorers. It is not possible here to follow him in his long tramps over mountain and through valley, on this humane undertaking. Not being able to discover the whereabouts of Talbot and Walker, and having lost and consumed most of his horses and cattle (forty head of the latter he had procured from Captain Sutter), he determined to retrace his steps to that hospitable haven, which he reached January 15, 1846. On the 17th Fremont left Sutter's Fort in a launch for Yerba Buena, where they arrived on the 20th; the 21st saw him and Captain Hinckley sailing up the Bay of San Francisco in a whale-boat to the embarcadero at Alviso, and on the 22d they proceeded to San José, where they received intelligence of the lost expedition being encamped on the San Joaquin whither he at once dispatched two companies under Kit Carson to guide them into Santa Clara valley. Fremont and Hinckley then visited the New Almaden mines, and returned to San Francisco. On the 24th Captain Fremont was once more on the move. He started from Yerba

Buena and that evening halted at the rancho of Francisco Sanchez; the following evening he passed near the San José Mission; the next night at the home of Don José Joaquin Gomez, in the Cañada of San Juan, and on the morning of January 27, 1846, reached Monterey.

Captain Fremont, in company with Thomas O. Larkin, United States Consul, then called upon General Castro and stated the cause of his journey: he was in want of provisions, and requested that his party might pass unmolested through the country. The request was granted verbally, but when asked for the necessary passport in writing, the General excused himself on the plea of being ailing, but hinted that no further assurance was needed than his word. A visit of a like nature was then made to the Prefect of the district, Don Manuel Castro, and the same statement made, which he too verbally declared all right. He then received funds and provisions from the Consul and made all haste to San José, where he was joined by his band, safely led from the San Joaquin by Kit Carson, but not finding here such stores as were needed by him he determined to retrace his steps to Monterey, and after some fifteen or twenty days, camped in the Santa Clara valley, on the rancho of Captain William Fisher, known as the Laguna Seco.

While here a Mexican made his appearance and laid claim to certain of his horses on the bold plea that they had been stolen; now observe how from a little great things spring! On February 20th, Captain Fremont received a summons to appear before the Alcalde of San José, to answer to a charge of horse-stealing, an action which brought forth, the next day, the following communication from the gallant Captain:—

“CAMP NEAR ROAD TO SANTA CRUZ, February 21, 1846.

“Sir: I received your communication of the 20th, informing me that a complaint had been lodged against me in your office for refusing to deliver up certain animals of my band, which are claimed as having been stolen from this vicinity about two months since, and that the plaintiff further complains of having been insulted in my camp. It can be proven on oath by thirty men here present that the animals pointed out by the plaintiff have been brought in my band from the United States of North America. The insult of which he complains, and which was authorized by myself, consisted in his being driven or ordered to immediately leave the camp. After having been detected in endeavoring to obtain animals under false pretenses, he should have been well satisfied to escape without a severe horsewhipping. There are four animals in my band which were bartered from the Tulare Indians by a division of my party which descended the San Joaquin valley. I was not then present, and if any more legal owners present themselves, these shall be immediately given or delivered upon proving property. It may save you trouble to inform you

that, with this exception, all the animals in my band have been purchased and paid for. You will readily understand that my duties will not permit me to appear before the magistrates in your towns on the complaint of every straggling vagabond who may chance to visit my camp. You inform me that unless satisfaction be immediately made by the delivery of the animals in question, the complaint will be forwarded to the Governor. I beg you will at the same time inclose to his Excellency a copy of this note.

"I am, very respectfully, your obedient servant.

"J. C. FREMONT, *U. S. Army.*

"To Sr. Don Dolores Pacheco, Alcalde of San José."

Hence the intrepid Pathfinder moved, by easy marches, in the direction of the Santa Cruz mountains, which he crossed about ten miles from San José, at the gap where the Los Gatos creek enters the plains; he then made his way towards the coast, and on March 1st, encamped on the rancho of Edward Petty Hartnell. While here he received, late in the afternoon of the 5th, at the hands of a Mexican officer protected by an armed escort, a dispatch from Don Manuel Castro, Prefect of the District, charging him (Fremont) with having entered the towns and villages under his (the Prefect's) jurisdiction, in contempt of the laws of the Mexican Government, and ordering him out of the country, else compulsory measures would be taken to compel him to do so. On the receipt of this Fremont did not display much hesitancy in arriving at a conclusion. That evening he struck his camp, and ascending "Hawks Peak," a rough looking mountain on the Salinas range, about thirty miles from Monterey, and two thousand feet above the sea level, commenced the construction of a rude fort, protected by felled trees, and stripping one of its branches nailed the "stars and stripes" to its highest point, full forty feet above their heads, and the morning of the 6th March found him awaiting further developments.

Let us now take a glance at the movements of the Mexican General. On the day that Fremont had fairly established himself on "Hawks Peak" Castro communicated the accompanying letter to the Minister of Marine in Mexico:—

"In my communication of the 5th ultimo, I announced to you the arrival of a Captain, at the head of fifty men, who came, as he said, by order of the Government of the United States, to survey the limits of Oregon. This person presented himself at my headquarters some days ago, accompanied by two individuals (Thos. O. Larkin, Consul, and Captain William A. Leidesdorff, Vice Consul), with the object of asking permission to procure provisions for his men that he had left in the mountains, which was given to him, but two days ago, March 4th, I was much surprised at being informed that this person was only two days' journey from this place (Monterey). In consequence, I immediately sent him a communication, ordering him, on the

instant of its receipt, to put himself on the march and leave the Department, but I have not received an answer, and in order to make him obey, in case of resistance, I sent out a force to observe their operations, and to-day, the 6th, I march in person to join it and to see that the object is attained. The hurry with which I undertake my march does not permit me to be more diffuse, and I beg that you will inform his Excellency, the President, assuring him that not only shall the national integrity of this party be defended with the enthusiasm of good Mexicans, but those who attempt to violate it will find an impregnable barrier in the valor and patriotism of every one of the Californians. Receive the assurance of my respect, etc. God and Liberty."

We left Captain Fremont in his hastily constructed fort, every avenue to which was commanded by the trusty rifles of his men, calmly awaiting the speedy vengeance promised in the communication of the Prefect. To carry it out Don José had summoned a force of two hundred men to the field, strengthened by one or two cannon of small calibre, but nothing beyond a demonstration was attained. In the language of the late General Revere (then Lieutenant) "Don José was rather in the humor of that renowned King of France, who, with twenty thousand men, marched up the hill and then marched down again." Castro's next move was the concocting of an epistle to Fremont, desiring a cessation of hostilities, and making the proposition that they should join forces, declare the country independent, and with their allied armies march against Governor Pio Pico, at that time at Los Angeles. To John Gilroy, an old Scotch settler, was intrusted the delivery of this exquisite piece of treachery. He reached "Hawks Peak" on the night of the 10th, but found the fort untenanted. Fremont had wearied, after three days' waiting for General Castro's attack, which, not being made, he struck his camp, threw away all useless articles that might impede a forced march, and the morning of the 11th found him in the valley of the San Joaquin. Gilroy, on his return, related his story of the camp-fires still alight, the discarded pack-saddles and no Fremont, which so elated the brave Castro that he at once resolved on attacking the fort, which he was the first to enter, after performing prodigies of valor, and sacking the inclosure, he sat down on one of Fremont's left-off pack-saddles, and penned a dispatch to Monterey, descriptive of the glorious victory he had gained, and that his return need not be looked for until his promise, long ago given, should be fulfilled.

And so matters for a time rested. The American settlers began to feel far from safe, and should the necessity for defense arise, no time should be lost in preparing for the emergency. Rumors were rife. The Governor, Pio Pico, looked upon them with deep hatred; their arrival and settlement was to him a source of poignant jealousy, while his feeling inclined him, in case the country should ever change hands, towards England rather than

the United States. At a convention held at the San Juan Mission, to decide which one of the two nations, Great Britain or America, should guarantee protection to California against all others, for certain privileges and considerations, Governor Pico is reported to have spoken in these terms:—

“Excellent Sirs: To what a deplorable condition is our country reduced! Mexico, professing to be our mother and our protectress, has given us neither arms nor money, nor the material of war for our defense. She is not likely to do anything in our behalf, although she is quite willing to afflict us with her extortionate minions, who come hither in the guise of soldiers and civil officers, to harass and oppress our people. We possess a glorious country, capable of attaining a physical and moral greatness corresponding with the grandeur and beauty which an Almighty hand has stamped on the face of our beloved California. But although nature has been prodigal, it cannot be denied that we are not in a position to avail ourselves of her bounty

“Our population is not large, and it is sparsely scattered over valley and mountain, covering an immense area of virgin soil, destitute of roads, and traversed with difficulty; hence it is hardly possible to collect an army of any considerable force. Our people are poor, as well as few, and cannot well govern themselves and maintain a decent show of sovereign power. Although we live in the midst of plenty, we lay up nothing; but, tilling the earth in an imperfect manner, all our time is required to provide subsistence for ourselves and our families. Thus circumstanced, we find ourselves suddenly threatened by hordes of Yankee emigrants, who have already begun to flock into our country, and whose progress we cannot arrest. Already have the wagons of that perfidious people scaled the almost inaccessible summits of the Sierra Nevada, crossed the entire continent, and penetrated the fruitful valley of the Sacramento. What that astonishing people will next undertake I cannot say; but in whatever enterprise they embark they will be sure to prove successful. Already are these adventurous land-voyagers spreading themselves far and wide over a country which seems suited to their tastes. They are cultivating farms, establishing vineyards, erecting mills, sawing up lumber, building workshops, and doing a thousand other things which seem natural to them, but which Californians neglect or despise. What then are we to do? Shall we remain supine while these daring strangers are overrunning our fertile plains and gradually outnumbering and displacing us? Shall these incursions go on unchecked, until we shall become strangers in our own land? We cannot successfully oppose them by our own unaided power; and the swelling tide of immigration renders the odds against us more formidable every day. We cannot stand alone against them, nor can we creditably maintain our independence even against Mexico; but there is something we can do which will elevate our country, strengthen her at all

points, and yet enable us to preserve our identity and remain masters of our own soil. Perhaps what I am about to suggest may seem to some faint-hearted and dishonorable. But to me it does not seem so. It is the last hope of a feeble people, struggling against a tyrannical government which claims their submission at home, and threatened by bands of avaricious strangers from without, voluntarily to connect themselves with a power able and willing to defend and preserve them. It is the right and the duty of the weak to demand support from the strong, provided the demand be made upon terms just to both parties. I see no dishonor in this last refuge of the oppressed and powerless, and I boldly avow that such is the step that I would have California take. There are two great powers in Europe, which seem destined to divide between them the unappropriated countries of the world. They have large fleets and armies not unpracticed in the art of war. Is it not better to connect ourselves with one of those powerful nations, than to struggle on without hope, as we are doing now? Is it not better that one of them should be invited to send a fleet and an army to defend and protect California, rather than that we should fall an easy prey to the lawless adventurers who are overrunning our beautiful country? I pronounce for annexation to France or England, and the people of California will never regret having taken my advice. They will no longer be subjected to the trouble and grievous expense of governing themselves; and their beef and their grain, which they produce in such abundance, would find a ready market among the new-comers. But I hear some one say: 'No monarchy!' But is not monarchy better than anarchy? Is not existence in some shape, better than annihilation? No monarch! and what is there so terrible in a monarchy? Have not we all lived under a monarchy far more despotic than that of France or England, and were not our people happy under it? Have not the leading men among our agriculturists been bred beneath the royal rule of Spain, and have they been happier since the mock republic of Mexico has supplied its place? Nay, does not every man abhor the miserable abortion christened the republic of Mexico, and look back with regret to the golden days of the Spanish monarchy? Let us restore that glorious era. Then may our people go quietly to their ranchos, and live there, as of yore, leading a thoughtless and merry life, untroubled by politics or cares of State, sure of what is their own, and safe from the incursions of the Yankees, who would soon be forced to retreat into their own country."

It was a happy thing for California, and, as the sequel proved, for the views of the Government of the United States, a man was found at this juncture whose ideas were more enlightened and consonant with the times than those of the rulers of his country, both civil and military. Patriotism was half his soul; he therefore could not silently witness the land of his

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birth sold to any monarchy, however old; and he rightly judged that although foreign protection might postpone, it could not avert that assumption of power which was beginning to make itself felt. Possessed at the time of no political power, and having had few early advantages, still his position was so exalted, and his character so highly respected by both the foreign and native population, that he had been invited to participate in the deliberations of the Junta. This man was Don Mariano Guadalupe Vallejo. Born in California, he commenced his career in the army as an *alferes*, or ensign, and in this humble grade, he volunteered, at the suggestion of the Mexican Government, with a command of fifty soldiers, to establish a colony on the north side of the Bay of San Francisco for the protection of the frontier. He effectually subdued the hostile Indians inhabiting that then remote region, and laid the foundation of a reputation for integrity, judgment, and ability, unequalled by any of his countrymen. Although quite a young man, he had already filled the highest offices in the province, and had at this time retired to private life, near his estates in the vicinity of the town of Sonoma. He did not hesitate to oppose with all his strength the views advanced by Pico and Castro. He spoke nearly as follows:—

“I cannot, gentlemen, coincide in opinion with the military and civil functionaries who have advocated the cession of our country to France or England. It is most true, that to rely any longer upon Mexico to govern and defend us, would be idle and absurd. To this extent I fully agree with my distinguished colleagues. It is also true that we possess a noble country, every way calculated from position and resources to become great and powerful. For that very reason I would not have her a mere dependency upon a foreign monarchy, naturally alien, or at least indifferent, to our interests and our welfare. It is not to be denied that feeble nations have in former times thrown themselves upon the protection of their powerful neighbors. The Britons invoked the aid of the warlike Saxons, and fell an easy prey to their protectors, who seized their lands, and treated them like slaves. Long before that time, feeble and distracted provinces had appealed for aid to the all-conquering arms of imperial Rome; and they were at the same time protected and subjugated by their grasping ally. Even could we tolerate the idea of dependence, ought we to go to distant Europe for a master? What possible sympathy could exist between us and a nation separated from us by two vast oceans? But waiving this insuperable objection, how could we endure to come under the dominion of a monarchy? For, although others speak lightly of a form of government, as a freeman, I cannot do so. We are republicans—badly governed and badly situated as we are—still, we are all, in sentiment, republicans. So far as we are governed at all, we at least profess to be self-governed. Who, then, that possesses true patriotism will consent to subject himself and his children to the caprices of a foreign



Samuel L. Garrison

king and his official minions? But it is asked, if we do not throw ourselves upon the protection of France or England, what shall we do? I do not come here to support the existing order of things, but I come prepared to propose instant and effective action to extricate our country from her present forlorn condition. My opinion is made up that we must persevere in throwing off the galling yoke of Mexico, and proclaim our independence of her forever. We have endured her official cormorants and her villainous soldiery until we can endure no longer. All will probably agree with me that we ought at once to rid ourselves of what may remain of Mexican domination. But some profess to doubt our ability to maintain our position. To my mind there comes no doubt. Look at Texas, and see how long she withstood the power of united Mexico. The resources of Texas were not to be compared with ours, and she was much nearer to her enemy than we are. Our position is so remote, either by land or sea, that we are in no danger from Mexican invasion. Why, then, should we hesitate still to assert our independence? We have indeed taken the first step, by electing our own Governor, but another remains to be taken. I will mention it plainly and distinctly—it is annexation to the United States. In contemplating this consummation of our destiny, I feel nothing but pleasure, and I ask you to share it. Discard old prejudices, disregard old customs, and prepare for the glorious change which awaits our country. Why should we shrink from incorporating ourselves with the happiest and freest nation in the world, destined soon to be the most wealthy and powerful? Why should we go abroad for protection when this great nation is our adjoining neighbor? When we join our fortunes to hers, we shall not become subjects, but fellow-citizens, possessing all the rights of the people of the United States, and choosing our own federal and local rulers. We shall have a stable government and just laws. California will grow strong and flourish, and her people will be prosperous, happy and free. Look not, therefore, with jealousy upon the hardy pioneers, who scale our mountains and cultivate our unoccupied plains; but rather welcome them as brothers, who come to share with us a common destiny."

Such was the substance of General Vallejo's observations; those who listened to him, however, were far behind in general knowledge and intelligence. His arguments failed to carry conviction to the greater number of his auditors, but the bold position taken by him was the cause of an immediate adjournment of the Junta, no result having been arrived at concerning the weighty affairs on which they had met to deliberate. On his retiring from the Junta he embodied the views he had expressed in a letter to Don Pio Pico, and reiterated his refusal to participate in any action having for its end the adoption of any protection other than that of the United States. In this communication he also declared that he would never serve under any Government which was prepared to surrender California to an Euro-

pean power; he then returned to his estates, there to await the issue of events.

In the meantime circumstances tended to keep General Castro moving. The Americans, finding themselves numerically too weak to contend against the bitter feelings engendered by such speeches as that of Pio Pico in the Junta and such actions as those of Castro against Fremont, but relying upon the certain accession to their strength which would arrive in the Spring with more emigrants, and a full conviction of their own courage and endurance, determined to declare California independent and free, and raise a flag of their own, which they did. The famous "Bear flag," was given to the breeze June 14, 1846, in Sonoma, on the pole where before had floated the Mexican standard, and after the capture of the town, with its commanding officer, General Vallejo, Lieutenant Colonel Victor Prudon, Captain Don Salvador Vallejo and Mr. Jacob P. Leese, an American, and brother-in-law to the General. The intelligence of the declaration and establishment of the California Republic spread like wild-fire; both parties labored arduously and incessantly for the conflict, and while the Bear Flag party guided their affairs from the citadel of Sonoma, General Castro established his head-quarters at the Santa Clara Mission, whence, June 17th, after learning of the success at Sonoma, he issued the following proclamations:—

"The citizen José Castro, Lieutenant-Colonel of cavalry in the Mexican army, and acting General Commander of the Department of California—Fellow-citizens: The contemptible policy of the agents of the United States of North America, in this Department, has induced a portion of adventurers, who, regardless of the rights of men, have daringly commenced an invasion, possessing themselves of the town of Sonoma, taking by surprise all that place, the military commander of that border, Colonel Don Mariano Guadalupe Vallejo, Lieutenant-Colonel Don Victor Prudon, Captain Salvador Vallejo and Mr. Jacob P. Leese. Fellow-countrymen: the defense of our liberty, the true religion which our Fathers possessed, and our independence, call upon us to sacrifice ourselves rather than lose these inestimable blessings; banish from your hearts all petty resentments, turn you and behold yourselves, these families, these innocent little ones which have unfortunately fallen into the hands of our enemies, dragged from the bosoms of their fathers, who are prisoners among foreigners, and are calling upon us to succor them. There is still time for us to rise *en masse*, as irresistible as retributive. You need not doubt that Divine Providence will direct us in the way to glory. You should not vacillate because of the smallness of the garrison of the general head-quarters, for he who will first sacrifice himself, will be your friend and fellow-citizen.

JOSÉ CASTRO.

"Head-quarters, Santa Clara, June 17, 1846."

"Citizen José Castro Lieutenant-Colonel of artillery in the Mexican army, and acting General Commander of the Department—All foreigners residing among us, occupied with their business, may rest assured of the protection of all the authorities of the Department whilst they refrain entirely from all revolutionary movements. The General Commandancia under my charge will never proceed with vigor against any persons, neither will its authority result in mere words wanting proof to support it; declaration shall be taken, proofs executed, and the liberty and rights of the laborious, which are ever commendable, shall be protected. Let the fortune of war take its chance with those ungrateful men, who, with arms in their hands, have attacked the country, without recollecting they were treated by the undersigned with all the indulgence of which he is so characteristic. The inhabitants of the Department are witnesses to the truth of this. I have nothing to fear, my duty leads me to death or to victory. I am a Mexican soldier, and I will be free and independent, or I will gladly die for these inestimable blessings.

"JOSÉ CASTRO.

"Head-quarters, Santa Clara, June 17th, 1846."

Fremont, who had held communication with the leaders of the Bear Flag faction, now concluded that it had become his duty to take a personal part in the revolution which he had fostered, therefore on June 21st he transferred his impedimenta to the safe-keeping of Captain Sutter at the fort, re-crossed the American river, encamped on the Sinclair rancho, where he was joined by Pearson B. Redding and all the trappers about Sutter's Fort, and there awaited orders. On the afternoon of the 23d, Harrison Pierce, who had settled in Napa valley in 1843, came into their camp, having ridden the eighty intervening miles with but one change of horses, and conveyed to Fremont the intelligence that the little garrison of Sonoma was greatly excited consequent on news received that General Castro, with a considerable force, was advancing on the town and hurling threats of recapture and hanging of the rebels. To promise to come to their rescue as soon as he could place ninety men in the saddle, was to Fremont, the work of a moment, and on June 23d, he made a forward movement with his mounted rifles who formed a curious looking cavalcade. One of the party writes of them:—

"There were Americans, French, English, Swiss, Poles, Russians, Prussians, Chilenians, Germans, Greeks, Austrians, Pawnees, native Indians, etc., all riding side by side and talking a polyglot lingual hash never exceeded in diversity since the confusion of tongues at the tower of Babel.

"Some wore the relics of their homespun garments, some relied upon the antelope and the bear for their wardrobe, some lightly habited in buckskin leggings and a coat of war-paint, and their weapons were equally various: There was the grim old hunter with his long heavy rifle, the farmer with his double-barreled shot-gun, the Indian with his bow and arrows; and others

with horse-pistols, revolvers, sabers, ships' cutlasses, bowie-knives and 'pepper-boxes' (Allen's Revolvers)."

Though the Bear Flag army was incongruous in *personnel*, as a body, it was composed of the best fighting material. Each of them was inured to hardship and privation, self-reliant, fertile in resources, versed in woodcraft and Indian fighting, accustomed to handle fire-arms, and full of energy and daring. It was a band of hardy adventurers, such as in an earlier age wrested this land from the feeble Aborigines. With this party Fremont arrived in Sonoma, at two o'clock, on the morning of June 25th, having made forced marches. Castro, however, had not carried out his threat, but placidly remained in the San José valley, the valiant captain being carefully guarded by his equally valiant soldiers.

About this time a small party, intended for service under the Bear Flag had been recruited by Captain Thomas Fallon, then of Santa Cruz but afterwards, for many years, a resident of San José. This company, which consisted of only twenty-two men, crossed the Santa Cruz mountains, entered the Santa Clara valley at night and called a halt about three miles south of San José, near the rancho of Grove C. Cook. Here Fallon learned that Castro was close at hand with a force of some two hundred men, therefore, acting on the principle of discretion being the better part of valor, he fell back into the mountains and there encamped. It will thus be seen that Castro still had command of this portion of the country. At sunset of the 27th June, placing himself at the head of his army, he marched out of Santa Clara to chastise the Sonoma insurgents. Passing around the head of San Francisco bay he attained the San Leandro creek whence he dispatched three men to cross the bay in boats to reconnoitre, who being captured, were shot. The eldest of these was Don José Reyes Berreyessa, a retired Sergeant of the Presidio of San Francisco. In 1834 he took up his residence on the Rancho de la Cañada de los Capitancillos which was granted him by Governor Alvarado in 1837, and upon which is situated the New Almaden mine. Castro, on finding that his men did not return, feared the like fate for himself, he therefore retraced his steps to the Santa Clara Mission, where he arrived on the 29th after a prodigious expedition of two days' duration.

In the meantime great events had been occurring without. War had been declared by the United States against Mexico; General Scott had carried on a series of brilliant exploits which resulted in the capture of the Mexican Capital, and Commodore John Drake Sloat had hoisted the American ensign at Monterey, July 7, 1846.

Two days later than the last-mentioned date, there might have been observed a solitary horseman urging his animal, as if for bare life, through the then almost impassable gorges of the Santa Cruz mountains, and across the wide expanse of the Santa Clara valley. From his pre-occupied

air, it could be remarked that he bore a weighty burden upon his shoulders, and still he pressed his jaded steed, whose gored sides and dilated nostrils gave evidence of being pushed to his utmost. Ere long both come to a halt, within the open space fronting the Justice Hall in San José. With a wave of his cap, our traveler announces to his compatriots the welcome intelligence of the glory of American arms; he hastily asks of the whereabouts of the General, whom he at once seeks; he finds him enjoying his *otium cum dignitate* in the seclusion of his well-appointed quarters, and here the dusty voyager, Henry Pitts, delivers into the hands of the redoubtable soldier, José Castro, the dispatch which tells him of the defeat of Mexican arms, and the ascendancy of the United States forces. With moody brow he breaks the seal; he calls forth his men, mounts at their head, forms line in front of the *Juzgado*, on Market street, and then exclaiming, "Monterey is taken by the Americans!" proceeded to read, in Spanish, the proclamation of Commodore Sloat, of which the annexed is a translation:—

"To the Inhabitants of California—

"The central troops of Mexico having commenced hostilities against the United States of America, by invading its territory, and attacking the troops of the United States, stationed on the north side of the Rio Grande, and with a force of seven thousand men, under the command of General Arista, which army was totally destroyed, and all their artillery, baggage, etc., captured, on the eighth and ninth of May last, by a force of twenty-three hundred men, under the command of General Taylor, and the city of Matamoras taken and occupied by the forces of the United States, and the two nations being actually at war by this transaction, I shall hoist the standard of the United States at Monterey, immediately, and shall carry it through California.

"I declare to the inhabitants of California, that although I come in arms with a powerful force, I do not come among them as an enemy to California; on the contrary, I come as their best friend, as henceforth California will be a portion of the United States, and its peaceable inhabitants will enjoy the same rights and privileges they now enjoy, together with the privilege of choosing their own magistrates and other officers for the administration of justice among themselves, and the same protection will be extended to them as to any other State in the Union. They will also enjoy a permanent government, under which life, and property, and the constitutional right and lawful security to worship the Creator in the way most congenial to each one's sense of duty will be secured, which, unfortunately, the Central Government of Mexico cannot afford them, destroyed as her resources are by internal factions and corrupt officers, who create constant revolutions to promote their own interest and oppress the people. Under the flag of the United States, California will be free from all such troubles and expenses;

consequently, the country will rapidly advance and improve, both in agriculture and commerce; as, of course, the revenue laws will be the same in California as in all other parts of the United States, affording them all manufactures and produce of the United States free of any duty, and for all foreign goods at one-quarter the duty they now pay. A great increase in the value of real estate and the products of California may be anticipated.

"With the great interest and kind feelings I know the Government and people of the United States possess toward the citizens of California, the country cannot but improve more rapidly than any other on the continent of America.

"Such of the inhabitants, whether natives or foreigners, as may not be disposed to accept the high privileges of citizenship, and to live peacefully under the Government of the United States, will be allowed time to dispose of their property, and remove out of the country, if they choose, without any restriction; or remain in it, observing strict neutrality.

"With full confidence in the honor and integrity of the inhabitants of the country, I invite the Judges, Alcaldes, and other civil officers, to execute their functions as heretofore, that the public tranquility may not be disturbed, at least, until the government of the Territory can be definitely arranged.

"All persons holding titles to real estate, or in quiet possession of lands under color of right, shall have these titles guaranteed to them.

"All churches, and the property they contain, in possession of the clergy of California, shall continue in the same right and possession they now enjoy.

"All provisions and supplies of every kind furnished by the inhabitants for the use of the United States ships and soldiers, will be paid for at fair rates; and no private property will be taken for public use without just compensation at the moment.

"JOHN D. SLOAT,

"Commander-in-Chief of the U. S. Naval Force in the Pacific ocean."

The reading of the foregoing concluded, Castro is said to have exclaimed, "What can I do with a handful of men against the United States? I am going to Mexico! All you who wish to follow me, right-about-face! All that wish to remain can go to their homes!" Only a very few chose to follow the Don into Mexico, whither he proceeded on that same day, first taking prisoner Captain Charles M. Weber, out of his store in San José, and not releasing him until they arrived at Los Angeles.

Upon hearing of Castro's departure, Captain Fallon, who the reader may remember we saw encamped in the Santa Cruz mountains, left his rendezvous, marched into the town of San José, seized the *Juzgado*, and arrested Dolores Pacheco, the Alcalde, whom he caused to surrender the keys and pueblo archives as well, and appointed James Stokes Justice of the

Peace. On the 13th he hoisted an American ensign on the flagstaff in front of the Court House, when for the first time did the Star Spangled Banner wave in the county. While in San José Fallon had the following correspondence with Captain Montgomery, stationed at Yerba Buena (San Francisco):—

" U. S. SHIP PORTSMOUTH, }
" Yerba Buena, July 13, 1846. }

"Sir: I have just received your letter, with a copy of Mr. James Stokes' appointment as Justice of the Peace at the pueblo; also, a dispatch from the Commander-in-Chief of the U. S. Naval Forces, at Monterey, for which I thank you. By the bearer of them, I return a dispatch for Commodore Sloat, which I hope you will have an opportunity of forwarding to Monterey.

"I received your letter of July 12th, and wrote to you, by the bearer of it, on the 13th, in answer, advising you by all means to hoist the flag of the United States at the Pueblo of St. Joseph, as you expressed to do, if you had sufficient force to maintain it there; of course you will understand that it is not again to be hauled down. * * * * *

"Agreeable to your request, I send you a proclamation of the Commander-in-Chief, in both languages, which I shall be glad to have distributed as far and generally as possible; and be pleased to assure all persons of the most perfect security from injuries to their persons and property, and endeavor, by every means in your power, to inspire them with confidence in the existing authorities and Government of the United States.

"I am, sir, respect'y your ob't servant, JNO. B. MONTGOMERY,

"Commanding U. S. Ship Portsmouth.

"To Capt. Thos. Fallon, Pueblo of St. Joseph, Upper California."

" U. S. SHIP PORTSMOUTH, }
" Yerba Buena, July 18, 1846. }

"Sir: I have just received your letter with the official dispatch from Commodore Sloat, which has been accidentally delayed one day in its transmission from pueblo, and am much obliged to you for sending it to me.

"I am gratified to hear that you have hoisted the flag of our country, and cannot but feel assured, as I certainly hope, that your zealous regard for its honor and glory will lead you nobly to defend it there.

"I am, sir, your ob't servant, JNO. B. MONTGOMERY,

Commander.

"To Capt. Thos. Fallon, at the Pueblo, San José, Upper California."

Let us now make a slight retrograde movement so that the relative positions of the parties may be ascertained.

We last left Captain Fremont at Sonoma, where he had arrived at 2 A. M. of the 25th June. After giving his men and horses a short rest, and

receiving a small addition to his force, he was once more in the saddle and started for San Rafael, where it was said that Castro had joined de la Torre with two hundred and fifty men. At four o'clock in the afternoon they came in sight of the position thought to be occupied by the enemy. This they approached cautiously until quite close, then charged, the three first to enter being Fremont, Kit Carson and J. W. Marshall (the future discoverer of gold), but they found the lines occupied by only four men, Captain Torre having left some three hours previously. Fremont camped on the ground that night, and on the following morning, the 26th, dispatched scouting parties while the main body remained at San Rafael for three days. Captain Torre had departed, no one knew whither; he left not a trace; but General Castro was seen from the commanding hills behind, approaching on the other side of the bay. One evening a scout brought in an Indian on whom was found a letter from Torre to Castro, purporting to inform the latter that he would, that night, concentrate his forces and march upon Sonoma and attack it in the morning.

Captain Gillespie and Lieutenant Ford held that the letter was a ruse designed for the purpose of drawing the American forces back to Sonoma, and thus leave an avenue of escape open for the Californians. Opinions on the subject were divided; however, by midnight every man of them was in Sonoma, it was afterwards known that they had passed the night within a mile of Captain de la Torre's camp, who, on ascertaining the departure of the revolutionists effected his escape to Santa Clara *via* Saucelito.

Fremont having, with his men, partaken of an early meal, on the morning of the 27th June returned to San Rafael, after being absent only twenty-four hours, proceeded to Saucelito, there remained until July 2d, when he returned to Sonoma, and here prepared a more perfect organization. On the Fourth, the national holiday was celebrated with becoming pomp, and on the fifth the California Battalion of mounted riflemen, two hundred and fifty strong, was formed; Brevet-Captain John C. Fremont, Second Lieutenant of Topographical Engineers, was chosen Commandant; First Lieutenant of Marines, Archibald A. Gillespie, Adjutant and Inspector with the rank of Captain. Says Fremont:—

"In concert and co-operation with the American settlers, and in the brief space of thirty days, all was accomplished north of the Bay of San Francisco, and independence declared on the fifth of July. This was done at Sonoma, where the American settlers had assembled. I was called by my position, and by the general voice to the chief direction of affairs, and on the sixth of July, at the head of the mounted riflemen, set out to find Castro."

Their route caused them to make circuit of the head of the Bay of San Francisco, crossing the Sacramento river at Knight's Landing, and thence proceeding

down the valley of the San Joaquin, found themselves at the San Juan Mission, where Fremont was joined by Captain Fallon, whose company had been disbanded in Monterey, and sailed at once in the U. S. ship *Cyane* for San Diego to cut off Castro's retreat, who had united with Pio Pico, giving them a combined force of six hundred.

The Indians of the San Joaquin valley had, during the year 1846, commenced to be such a source of annoyance to the residents in the district that in the month of April complaint had been made to the Departmental Assembly, but up to July nothing had been done. On the ninth of that month, wishing to intercept Captain Fremont, Captain Montgomery penned the following letter to that officer:—

"U. S. SHIP PORTSMOUTH,
"Yerba Buena, July 9, 1846. }

"Sir: Last evening I was officially notified of the existence of war between the United States and the Central Government of Mexico, and have this morning taken formal possession of this place, and hoisted the flag in town. Commodore Sloat, who took possession of Monterey on the 7th instant, has directed me to notify you of this change in the political condition of things in California, and to request your presence at Monterey, with a view to future arrangements and co-operations, at as early a period as possible.

"I forwarded at two o'clock this morning a dispatch from Commodore Sloat to the Commandant at Sonoma, with an American flag for their use, should they stand in the need of one. Mr. Watmough, who will hand you this, will give you all the news.

"Very respectfully, etc.,

JNO. B. MONTGOMERY.

"To Captain J. C. Fremont, Top. Engineer, Santa Clara."

On the same day the following order was given to purser James H. Watmough by Captain Montgomery:—

"Sir: You will proceed to Santa Clara, and to the Pueblo, if necessary, in order to intercept Captain Fremont, now on his march from the Sacramento; and on meeting, please hand him the accompanying communication, after which you will return to this place, without delay, and report to me."

Whether he delivered his dispatch to Fremont then is uncertain, the presumption is that he did, and that on reporting such to Captain Montgomery, also the state of affairs in regard to the Indians in the valley of the San Joaquin, he was instructed to occupy San José with the thirty-five marines who had accompanied him as an escort, for we find that the gallant Purser established his head-quarters in the *Juzgado*, added some volunteers to his forces, and, in the month of August, with thirty marines and about the same number of volunteers, crossed the mountains and met a party of a hundred Indians, which he drove back into their own valley. After doing

much to allay the excitement which then existed, his command was withdrawn in the month of October.

Such was the military enthusiasm of the period that it was not as difficult as it might be to-day to recruit an armed force. In October, Charles M. Weber and John M. Murphy were commissioned by Commander Hull of the U. S. Sloop-of-war *Warren*, in command of the Northern District of California, as Captain and Lieutenant respectively in the land forces. They quickly raised a company of scouts, which had their head-quarters in the adobe building to the rear of Frank Lightston's residence. And this recruiting spirit was not confined to the settler, for as soon as immigrants arrived at Sutter's Fort, they were visited at once by Captain Granville Swift of Fremont's battalion and asked to volunteer, which several of them did. Among these was Joseph Aram, familiarly known in San José. He was commissioned by Fremont as Captain, and told to proceed with some of the immigrant families to the Santa Clara Mission rather than to San José, for there were more houses there, but such was their state, and owing to the inclement Winter, the unfortunate women and children suffered terribly and no less than fourteen of them died. Captain Aram had managed to form a company of thirty-two men, whose head-quarters he established at Santa Clara for the purpose of protecting the families there; he thereupon essayed to place the mission in a suitable state of defense, by constructing barricades, built principally of wagons, and the branches of trees, for he had learned that Colonel Sanchez and a body of mounted Californians were hovering in the vicinity. In the month of November, San José was formed into a military post and sixty men with Messrs. Watmough and Griffin, under Lieutenant Pinkney of the U. S. Ship *Savannah*, sent to protect the inhabitants in the district. This force left Yerba Buena early on the morning of the 1st, and proceeding by the ship's boats up the bay, about sunset, made fast to the shore and that night camped on the site of the present town of Alviso. Dawn of the next day found Lieutenant Pinkney and his command on the route, and after a weary march, for muskets, bayonets, cartridges, provisions and blankets had to be transported on the men's backs, arrived that afternoon at San José, when he immediately took possession of the *Juzgado*, converted it into a barrack, placed a sentry on the Guadalupe bridge, and ordered a guard to patrol the streets throughout the night. He dug a ditch around the *Juzgado* of two feet in depth and one in width, at about sixty feet therefrom in which he drove pickets seven or eight feet long. On the outside thereof he dug a five feet wide, and four feet deep trench, the dirt from which he threw against the pickets thus forming a breast-work. At each corner he made a gate, and on each side mounted a guard, and otherwise made himself free from surprise and attack.

The military freebooter Sanchez was at this time creating a reign of ter-

ror in the district conterminous to San José, neither man, horse, nor stock of any kind being free from his predatory band. Concealing themselves in thicket or ravine they were wont to fall upon the unsuspecting traveler, who after being robbed was too often mostly foully murdered. In the month of December, 1846, about the 8th day, a party under Lieutenant W. A. Bartlett of the sloop-of-war *Warren* and five men, among these being Martin Corcoran, afterwards and still a resident of San José, started from Yerba Buena to purchase beef for the United States Forces. When arrived in the vicinage of that locality where now stands the Seventeen-mile House, and when in the act of driving together some cattle, thirty of Sanchez' men rushed from an ambuscade, captured them and carried them off to their camp in the redwoods in the Coast Range of mountains; but after a space removing to another portion of the same chain in San Mateo county, he increased his corps to a hundred men and one piece of artillery—a six pounder—and commenced a succession of marauding expeditions in the country between San José and San Francisco. Intelligence reaching the former place of these depredations of Colonel Sanchez, Captain Weber without delay sounded the "call" to boot and saddle, and about Christmas Day, was in full pursuit. Learning, however, of the recent addition to the enemy's strength he avoided an encounter with a force so much his superior in numbers and pushed on to San Francisco where he reported to the Commandant.

Still retaining his six prisoners under close guard, Sanchez advanced into the valley, by way of the head of the Bay of San Francisco, and called a halt about ten miles from San José, which place he came to after a rest of forty-eight hours. Aware full well that Weber and his company were not in the town, and nothing remaining for its defense save a few marines, he thought that it would fall before his mighty presence, even without firing a shot, he therefore dispatched a note to Lieutenant Pinkney, calling upon him to surrender and withdraw his men; in which event the Americans would be permitted to retire unmolested; should he refuse, an attack would be forthwith made and all put to the sword. But Pinkney was not to be intimidated by such shallow bravado. As the sun sank into the west on that day he formed his men in line and read to them the arrogant communication of the robber chief, which being ended he said if there were any there who did not wish to fight they had full liberty to rejoin the ship at San Francisco. Such, however, happily is not the spirit of the American people or their forces, else the glorious Union would not be in the lead of nations as it is to-day. Pinkney's men raised their voices as one man, and elected to stay and let Sanchez do his worst, while their gallant commander vehemently asserted "Then, By G—d, Sanchez shall never drive me out of here alive!" and then there burst from the throats of that handful of heroes one hoarse cheer that made the welkin ring. Like a true soldier, the Lieu-

tenant gave not an order the carrying out of which he did not personally superintend. He divided his force into four squads, who were, on the alarm being sounded, each to press for a particular side of the breast-work, already arranged upon; if, however, the enemy should be found in a body trying to effect an entrance at any one side, then were the four divisions to rush *en masse* to that spot. That night Pinkney doubled the guard, and his men slept on their arms. It was his expectation to be attacked by a force immeasurably superior to him in numbers, but at dead of night Sanchez rode around the pueblo, reflected deeply, and wisely determined that to be valorous was to be discreet, therefore he withdrew his men, leaving our forces in full possession. Mr. Hall says of Lieutenant Pinkney that he was a tall, well-proportioned man, over six feet high, with sandy whiskers and hair. He was as straight as an arrow, and looked the soldier all over. His very appearance showed where he would be in a hot contest. There was not a man among his little band that did not have the utmost confidence in him.

Let us now return and see how fared it with the prisoners captured near the Seventeen-mile House. To try and effect their release, the British Consul J. A. Forbes, visited Sanchez' band, where his brother-in-law was serving and strove to obtain the liberation of the captives, but with no success. After a good deal of palaver, however, Sanchez consented to Lieutenant Bartlett being permitted to accompany Forbes to his residence in Santa Clara, but on no account was he to be handed over to the American authorities, while, as to the other five, he was willing that they all should be surrendered to their nationals, but Captain Weber, who had, before the commencement of hostilities between the United States and Mexico, been in the service of the latter Government, must be given up to him. Consul Forbes transmitted the result of his diplomatic mission to the commanding officer at San Francisco, who replied that he unconditionally refused such terms, and Bartlett could be returned to Sanchez.

A day of reckoning was now fast drawing nigh, for a little army with the destruction of Sanchez and his band in view, was being formed in San Francisco under command of Captain Ward Marston, of the Marine Corps attached to United States Ship *Savannah*. The force was composed as follows: Assistant Surgeon J. Duvall, Aid-de-Camp; detachment of Marines, under Lieutenant Robert Tansil, thirty-four men; artillery, one field-piece, six-pounder, under charge of Master William F. D. Gough, assisted by midshipman John Kell, ten men; interpreter, John Pray. Mounted Company San José Volunteers, under command of Captain Charles M. Weber, Lieutenant John M. Murphy and acting Lieutenant John Reed, thirty-three men. Mounted Company of Yerba Buena Volunteers, under command of William M. Smith, Lieutenant John Rose; with a small detachment, under Captain J. Martin, of twelve men, the whole being in the neighborhood of one hundred men of all arms.

The little army marched out of San Francisco on the 29th December, their course being southward and through the Santa Clara valley. On the morning of January 2, 1847, they came in sight of the enemy, who upon learning of their approach, had dispatched their six prisoners, on foot, for no horses for them to ride could be provided, into the mountains in charge of an escort of twelve men, who having proceeded a couple of miles, halted.

Upon the force of Americans coming up with the enemy, at ten o'clock in the morning, orders were given to open fire at two hundred yards' range which was done with telling effect, the first one or two volleys entirely breaking the line in which Sanchez chose to fight. Finding his alignment cut in twain, Sanchez wheeled his men so as to bring each of his sections on either flank of Captain Marston's corps, but still making a retrograde movement, while the latter advanced. Ever and anon, would the desperate Colonel rally his already demoralized troops in front, and again wheel them on the flanks of his opponents, thus alternately fighting in front and on flank, but still keeping up the order of his retreat, for two or three hours.

Lieutenant Pinkney, from his fortified position in San José, hearing the firing, gave orders for the making of hundreds of cartridges, and placed everything in a state of defense, in case Sanchez should be victorious and come down on the pueblo, while he waited anxiously for news of the battle, for he believed the Americans were outnumbered, and had some doubt as to how the fortune of the day might turn; while, at the Santa Clara Mission, people crowded the roof-tops and there witnessed the engagement, to which place the retreat tended. Here Sanchez was met by Captain Aram, who sallied out to check his falling upon the settlements. Finding this new force to contend against he drew off, unwilling to renew a fight of which he had already had too much, and found his way to the Santa Cruz mountains whence he dispatched a flag of truce and a communication stating the terms on which he would surrender. The reply was, his surrender must be absolute, and notwithstanding that he said he would die first, an armistice was agreed upon and dispatches sent to the Commandant, at San Francisco, asking for instructions.

Meanwhile Lieutenant Pinkney's suspense was put to an end by the receipt of a message as to the outturn of the action, while Marston marched his men to the Santa Clara Mission, where they were received with demonstrative joy by the American ladies and children there assembled. Captain Aram now received permission to proceed in quest of certain horses which had been stolen from the American settlers in the valley, some of which he knew to be in the cavalcade of the enemy, and while engaged in this duty he was informed by Sanchez that another body of United States troops was on its way from Monterey. This information could scarcely be credited by the Captain who, ascending a commanding point, perceived the intelligence to be correct.

This accession to the fighting strength of the Americans made Sanchez tremble lest he should be attacked by them, he therefore begged Aram to advance and inform them of the situation of affairs, which he did, much to the chagrin of the new-comers, who were longing to have a brush with the enemy. This force was under the command of Captain Maddox of the United States Navy, and consisted of fifty-nine mounted sailors and marines.

The courier, sent to San Francisco, returned on the 6th with instructions to Captain Marston that the surrender of Sanchez must be unconditional, a copy of which he transmitted to the Colonel, whereupon the terms of capitulation were agreed upon. Another reinforcement arrived under Lieutenant Grayson on the 7th, and on the 8th Sanchez and his whole force laid down their arms, and the six anxious prisoners were returned to the hands of their countrymen. The Mexican Colonel was taken to San Francisco and held as a prisoner, for a time, on board the United States Ship *Savannah*, while his men were permitted to return to their respective homes, and thus the curtain is dropped upon the closing act in the war-like drama, as enacted in the northern part of Upper California during the hostilities between the United States and Mexico.

But one word more. The reader will naturally understand that the record of these events have been chiefly derived from works already published. This is true. We do not think it is an evil, in a volume which purports to be a history, to seek the aid of those minds that have already given mature thought to an especial subject, therefore we now tender our thanks to Frederic Hall's "History of San José" and Mr. Lancey's contribution to *The Pioneer* from which a considerable portion of our information has been gleaned.



THE LEGISLATIVE HISTORY OF SANTA CLARA COUNTY.

ORGANIZATION—ORIGINAL COUNTY BOUNDARY—COURT OF SESSIONS—ORIGINAL TOWNSHIPS—WASHINGTON—SAN JOSE—GILROY—SANTA CLARA—REDWOOD—BOARD OF SUPERVISORS—PRESENT COUNTY BOUNDARY—PRESENT TOWNSHIPS—FREMONT—REDWOOD—GILROY—BURNETT—MILPITAS—ALVISO—SANTA CLARA—NEW ALMADEN—SAN JOSE—SCHOOL DISTRICTS—ELECTION DISTRICTS—ROAD DISTRICTS—COURT OF SESSIONS AND BOARD OF SUPERVISORS—POST-OFFICES—COUNTY BUILDINGS.

POLITICAL HISTORY—MEXICAN GOVERNMENT—U. S. MILITARY GOVERNMENT—CONSTITUTIONAL CONVENTION—SAN JOSE THE STATE CAPITAL—MEMBERS OF FIRST LEGISLATURE—GOVERNOR BURNETT ASSUMES OFFICE—STATE CAPITAL REMOVED—JUDICIAL DISTRICTS—COUNTY COURT—COURT OF SESSIONS—HOW COMPOSED—DEATH OF PRESIDENT Z. TAYLOR—DATE FOR ELECTIONS ESTABLISHED—FINANCIAL STATEMENT—CENSUS—ROBBERY OF COUNTY TREASURY—INSTALLMENT PAID FOR STATE HOUSE—DEBT OF ALAMEDA COUNTY—INDIGENT SICK—VAGRANTS—SANTA CLARA VALLEY AGRICULTURAL SOCIETY—TREASURER'S STATEMENT—SUBSCRIPTION TO SAN FRANCISCO AND SAN JOSE RAILROAD COMPANY—SAN JOSE AND ALVISO TURNPIKE COMPANY—MILITIA—AMENDMENTS TO CONSTITUTION—SANTA CRUZ GAP TURNPIKE JOINT STOCK COMPANY—POUND—SUPERVISORAL TERMS—TOWN OF SANTA CLARA INCORPORATED—MECHANICAL, AGRICULTURAL, AND MINING COLLEGE—TREASURY AGAIN ROBBED—TOWN OF GILROY INCORPORATED—STREET CARS—WATER COMPANY—SMALL-POX—DEATH OF LOUIS PREVOST—TAXATION—SEAL OF SUPERVISORS—COUNTY BONDS—ALLOWANCE FOR MILEAGE—GAME LAWS—VACCINATION—DOG TAX—ATTEMPT OF I. O. G. T. TO INCREASE TAX ON SALE OF LIQUORS—LADIES BENEVOLENT SOCIETY—BAR ASSOCIATION—RECORDS PHOTOGRAPHED—MOTION TO LET OUT CERTAIN ROADS—TRIVIAL PROSECUTIONS—NEW CONSTITUTION—VOTE—NAMES OF DELEGATES—"JAMESTOWN"—GLANDERS—TRIBUTE OF H. PHILIP TO COUNTY OFFICERS—POLITICAL CONVENTIONS—COUNTY VOTE—TABLE OF COUNTY OFFICERS.

THE ORGANIZATION OF THE COUNTY.—The first organization of counties in the United States originated in Virginia, her early settlers becoming proprietors of vast amounts of land, living apart in patrician splendor, imperious in demeanor, aristocratic in feeling, and being in a measure dictators to the laboring portion of the population. It will thus be remarked that the materials for the creation of towns were not at hand, voters being but sparsely distributed over a great area. The county organization was, moreover, in perfect accord with the traditions and memories of the judicial and social dignities of Great Britain, in descent from which they felt so much glory. In 1634 eight counties were established in Virginia, a lead which was followed by the Southern and several of the Northern States, save in those of South Carolina and Louisiana, where districts were outlined in the former, and parishes, after the manner of the French, in the latter.

In New England, towns were formed before counties, while counties were organized before States. Originally, the towns, or townships, exercised all the powers of government swayed by a State. The powers afterwards

assumed by the State governments were from surrender or delegation on the part of towns. Counties were created to define the jurisdiction of courts of justice. The formation of States was a union of towns, wherein arose the representative system; each town being represented in the State Legislature, or General Court, by delegates chosen by the freemen of the towns at their stated meetings. The first town meeting of which we can find any direct evidence, was held by the congregation of the Plymouth Colony, on March 23, 1621, for the purpose of perfecting military arrangements. At that meeting a Governor was elected for the ensuing year; and it is noticed as a coincidence, whether from that source or otherwise, that the annual town meetings in New England, and nearly all the other States, have ever since been held in the Spring of the year. It was not, however, until 1635, that the township system was adopted as a *quasi corporation* in Massachusetts.

The first legal enactment concerning this system provided that, Whereas, "particular towns have many things which concern only themselves, and the ordering of their own affairs, and disposing of business in their own towns; therefore the freemen of every town, or the major part of them, shall only have power to dispose of their own lands and woods, with all the appurtenances of said towns; to grant lots and to make such orders as may concern the well ordering of their own towns, not repugnant to the laws and orders established by the General Court. They might also impose fines of not more than twenty shillings, and choose their own particular officers, as constables, surveyors for the highways, and the like." Evidently this enactment relieved the General Court of a mass of municipal details, without any danger to the powers of that body in controlling general measures of public policy. Probably, also, a demand from the freemen of the towns was felt, for the control of their own home concerns.

The New England colonies were first governed by a "General Court," or Legislature, composed of a Governor and small council, which court consisted of the most influential inhabitants, and possessed and exercised both legislative and judicial powers, which were limited only by the wisdom of the holders. They made laws, ordered their execution, elected their own officers, tried and decided civil and criminal causes, enacted all manner of municipal regulations; and, in fact, transacted all the business of the colony.

This system which was found to be eminently successful, became general, as territory was added to the Republic, and States formed. Smaller divisions were in turn inaugurated and placed under the jurisdiction of special officers, whose numbers were increased as time developed a demand, until the system of township organization in the United States is a matter of just pride to her people.

Let us now consider this topic in regard to the especial subject under review:—



Thomas Rea

On the acquisition of California by the Government of the United States, under a treaty of peace, friendship, limits, and settlement with the Mexican Republic, dated Guadalupe Hidalgo, February 2, 1848, the boundaries of the State were defined. This treaty was ratified by the President of the United States, on March 16, 1848; exchanged at Queretaro, May 30th, and finally promulgated July 4th, of the same year, by President Polk, and attested by Secretary of State, James Buchanan. In 1849 a Constitutional Convention was assembled in Monterey, and at the close of the session, on October 12th, a proclamation calling upon the people to form a government was issued "to designate such officers as they desire to make and execute the laws; that their choice may be wisely made, and that the government so organized may secure the permanent welfare and happiness of the people of the new State, is the sincere and earnest wish of the present executive, who, if the Constitution be ratified, will with pleasure, surrender his powers to whomsoever the people may designate as his successor." This historical document bore the signatures of "B. Riley, Bvt. Brig. General [U. S. A., and Governor of California, and official—H. W. Halleck, Bvt. Capt. and Secretary of State."

In accordance with Section fourteen of Article twelve of the Constitution, it was provided that the State be divided into counties, and Senatorial and Assembly districts, while the first session of the Legislature, which began at San José, on December 15, 1849, passed, on February 18, 1850, "An Act subdividing the State into counties and establishing seats of justice therein." This Act was finally confirmed, April 25, 1851, and directed the boundaries of Santa Clara to be as follows:—

Original County Boundary.—Beginning at the mouth of Alameda creek, and running up the middle of said creek to its source in the Coast Range; thence in a south-easterly direction, following the summit of the Coast Range, to the north-east corner of Monterey county; thence in a westerly direction, following the northern boundary of Monterey county, to the south-east corner of Santa Cruz county; thence in a north-westerly direction, following the summit of the Santa Cruz mountains, to the head of San Francisquito creek; thence down the middle of said creek, to its mouth; and thence in a direct line to the mouth of Alameda creek, which was the place of beginning. It was then directed that the seat of justice should be at San José.

Court of Sessions.—On April 11, 1850, An Act of the Legislature was passed, organizing a Court of Sessions, which defined its composition as follows:—

The Court consisted of the County Judge, who should preside at its sessions, assisted by two Justices of the Peace of the county as Associate Justices, they being chosen by their brother Justices from out of the whole

number elected for the county. The duties imposed upon this organization were multifarious. They made such orders respecting the property of the county as they deemed expedient, in conformity with the laws of the State, and in them were vested the care and preservation of said property. They examined, settled, and allowed all accounts chargeable against the county; directed the raising of such sums for the defraying of all expenses and charges against the county, by means of taxation on property, real and personal, such not to exceed, however, the one-half of the tax levied by the State on such property; to examine and audit the accounts of all officers having the care, management, collection and disbursement of any money belonging to the county, or appropriated by law, or otherwise, for its use and benefit. In them was the power of control and management of public roads, turnpikes, fences, canals, roads and bridges within the county, where the law did not prohibit such jurisdiction, and to make such orders as should be requisite and necessary to carry such control and management into effect; to divide the county into townships, and to create new townships, and change the division of the same as the convenience of the county should require. They established and changed election precincts; controlled and managed the property, real and personal, belonging to the county, and purchased and received donations of property for the use of the county, with this proviso, that they should not have the power to purchase any real or personal property, except such as should be absolutely necessary for the use of the county. To sell and cause to be conveyed, any real estate, goods or chattels belonging to the county, appropriating the funds of such sale to the use of the same. To cause to be erected and furnished, a Court House, jail, and other buildings, and to see that the same be kept in repair, and otherwise to perform all such other duties as should be necessary to the full discharge of the powers conferred on such court. Terms were ordered to be held on the second Monday of February, April, June, August, October and December, with quarterly sessions on the third Monday of February, May, August and November of each year.

The first Court of Sessions of Santa Clara was organized on April 23, 1850, by J. W. Redman, County Judge, and H. C. Melone, County Clerk when the county was divided into five townships, viz:—

ORIGINAL TOWNSHIPS.—Washington, San José, Gilroy, Santa Clara, and Redwood, with the following boundaries:—

Washington.—Commencing at the old Santa Clara bridge on the Guadalupe river, and running a north-easterly line to the county line; all north of this line bounded on the west by Guadalupe river shall constitute this township.

San José.—On the north by Washington township; on the east by th

county line; on the south by a south-west line to the head of the Laguna south of Captain Fisher's house; thence to the Guadalupe river so as to embrace the New Almaden mine; thence to the county line to Grape creek; thence down Grape creek to the Guadalupe river; thence down the Guadalupe to the lower Santa Clara bridge, or place of beginning.

Gilroy.—Is composed of all that part of the county lying south of San José township.

Santa Clara.—Commencing at the Santa Cruz crossing on Grape creek, and running thence in a direct line to the "Alviso Corral;" thence in a direct line to "Rodriguez' Rancho" to the western line of the county, so as to leave "Rodriguez' house in the "Red Woods;" thence along the county line to the Bay of San Francisco; thence along the bay to the mouth of the Guadalupe river; thence up the Guadalupe to the mouth of Grape creek; thence up Grape creek to the place of beginning.

Redwood.—Is composed of all that part of the county lying south-east of Santa Clara township.

In May, 1850, however, the limits of Washington township were extended so as to embrace all of Alviso, while, on August 18, 1851, the township of Redwood was abolished altogether and declared annexed to that of Santa Clara. This distribution of districts was still found to be too unwieldy, therefore out of the above-named partitions the townships of Fremont, Alviso, Burnett, and Almaden were created.

Board of Supervisors.—Thus for two years was the county and its distributions allowed to remain under the official guidance of the Court of Sessions; but in the year 1852, a new phase of government was inaugurated in pursuance of an Act of the Legislature approved May 3d of that year. This was no less than the taking away from that august body their non-legal duties and the transfer of them to a Board of Supervisors. For Santa Clara county there were to be elected, on the second Monday in June, five of these officials, who held their first session in the Court House in San José, July 5, 1852, there being present Isaac N. Senter, Jacob Grewell, Fred. E. Whiting, and William E. Taylor, Mr. Senter being unanimously elected Chairman of the Board of Supervisors of Santa Clara county. Among the first of their recorded acts we find was the ordering that the Sheriff take charge of the Court House, and suffer no "Dances, Balls, or Shows" to be had therein, unless a sufficient sum of money be paid him therefor to employ a good and responsible man or men to watch and take care of the same during the time the house is so used.

Present County Boundary.—In accordance with a petition dated March 10, 1853, of the citizens of Santa Clara and Contra Costa, a new county was formed and called Alameda, the territory contributed by the first named

being that alluded to above as Washington township. The Act establishing the same defined the new boundaries, which obtain to-day, as: Beginning at a point opposite the mouth of the San Francisquito creek, being the common corner of Alameda, San Mateo and Santa Clara counties; thence easterly to a point at the head of a slough, which is an arm of the Bay of San Francisco at its head, making into the mainland in front of the Gegara ranchos; thence easterly to a lone sycamore tree that stands in a ravine between the dwellings of Fluhencia and Valentine Gegara; thence easterly up said ravine to the top of the mountains, as surveyed by Horace A. Higley; thence on a direct line easterly to the common corner of San Joaquin, Stanislaus, Alameda, and Santa Clara counties, on the summit of the Coast Range; thence southeasterly, following the summit of the Coast Range to the north-east corner of Monterey county; thence westerly, following the northern boundary of Monterey county to the south-east corner of Santa Cruz county; thence north-westerly, following the summit of the Santa Cruz mountains, to the head of San Francisquito creek; thence down said creek to its mouth; thence in a direct line to the place of beginning: the territory thus defined containing in all an approximate area of one thousand three hundred square miles.

Since the passage of the Act of the Legislature of which the foregoing boundaries are the substance, granite monuments have been put in position along the line separating Santa Clara from Alameda; the south line has not been materially changed, although San Benito county has been formed out of the eastern portion of Monterey, while its eastern line, that separating it from Stanislaus, on account of excessive topographical difficulties, has never been definitely described; hence the precise area of the county still remains a matter of some doubt.

PRESENT TOWNSHIPS.—The townships now contained within the limits of Santa Clara county may be described as Fremont in the north-west, Redwood in the west, Gilroy in the south, Burnett in the east, Milpitas in the north-east, Alviso in the north, Santa Clara in the northern center, Almaden in the western center, and San José in the center and east. Save with a few slight modifications which it has been found necessary to make in late years, the boundaries of these are as follows:—

Fremont.—Commencing at a point upon the Santa Cruz mountains at the corner of the counties of Santa Cruz, San Mateo, and Santa Clara, and running thence down the channel of the San Francisquito creek, which is the boundary between the counties of Santa Clara and San Mateo, to its mouth in the Bay of San Francisco; thence following the shore of the said bay easterly to the mouth of Guadalupe river; thence up the channel of the said Guadalupe river two miles, more or less, to a point at the intersection of the United

States township line between township six south, range one and two west; thence due south on said township line, through Martin Murphy's rancho, seven and one-half miles, more or less, to its intersection with the county road running from San José west to the mountains, at a point upon the western boundary of the Rancho Tito or Quito, said road being the one which passes Rucker's, Blaburn's, and Craft's; thence three miles west along the line of said road, as surveyed by the County Surveyor, to its intersection with the Arroyo Cupertino or Stevens' creek, one-half mile below Captain Stevens' old house; thence up the channel of said *arroyo* to its source in the Santa Cruz mountains; thence due south to the summit of said mountains, which is the boundary between the counties of Santa Cruz and Santa Clara; thence north-westerly, following the said boundary along the summit or water divide of said mountains ten miles, more or less, to the place of beginning.

Redwood.—Commencing at a point upon the Arroyo de Cupertino or Stevens' creek, where the road from San José west to the mountains, which passes Rucker's, Blaburn's, and Crafts', as surveyed, crosses the same, and running up the said Stevens' creek to its source in the mountains; thence due south to a point upon the summit or water divide of the said Santa Cruz mountains, at the southern corner of Fremont township; thence south-easterly, following the said water divide, which is the boundary between the counties of Santa Clara and Santa Cruz, twelve miles, more or less, to the south-west corner of New Almaden township, which point is upon the summit of said mountains, about two miles south-easterly from the crossing of the Santa Clara and Santa Cruz turnpike road; thence due north to the south-east corner of the Rancho Rincoñada de los Gatos or Hernandez Rancho; thence northerly, following the eastern boundary of said rancho, as patented, to the most northern corner thereof, upon the Arroyo San Tomas Aquino; thence northerly along the eastern boundary of the Rancho de Tito or Quito, as finally surveyed by C. C. Tracy, United States Deputy Surveyor, two miles, more or less, to the aforesaid road from San José west to the mountains; thence due west along said road to the place of beginning.

Gilroy.—Commencing at a point in the summit of the Coast Range of mountains, at the corner of the counties of Santa Clara, Monterey, Stanislaus, and Merced, and running thence northerly along the summit of the Coast Range, which is the line between the counties of Santa Clara and Stanislaus, ten miles, more or less, to the south-east corner of Burnett township; thence due west along the line of said Burnett township to the south-west corner thereof; thence due south one mile, more or less, to the south-east corner of Almaden township; thence south-easterly along the summit of the Santa Cruz mountains, following the boundary line between the counties of

Santa Clara and Santa Cruz, to the line of Monterey county upon the Pajaro river; thence up the said river, following the boundary line between the counties of Monterey and Santa Clara to the Lake San Felipe; thence along the northern shore of said lake to the monument erected at the mouth of the San Felipe creek, about two miles below Pacheco's house upon the last-named county boundary; thence due east, continuing upon said boundary, passing about one mile south of the houses of Fine and Thomas, eleven miles, more or less, to the place of beginning.

Burnett.—Commencing at a point upon the summit of the Coast Range of mountains at the south-east corner of San José township, and running thence due west along the line of said township to the boundary line of the Yerba Buena Rancho, and thence following the south-eastern boundary of San José township to the corner of Almaden township, and thence southerly along the eastern boundary of Almaden township to its intersection with the United States township line between townships nine and ten south, range one east, said point being about one mile north of the south-east corner of Almaden township, on the summit of the Santa Cruz mountains; thence due east upon the United States township line passing south of the Twenty-one-mile House upon the Monterey road, to the summit of the Coast Range of mountains, at a point about three miles northerly from the crossing of the Overland mail road through Pacheco's pass; thence north-westerly along the summit of said Coast Range, which is the boundary between the counties of Santa Clara and Stanislaus, fifteen miles, more or less, to the place of beginning.

Milpitas.—Commencing at the corner of the boundary line between the counties of Santa Clara and Alameda, at the head of the Coyote slough, so called, and running thence north-easterly along the said county boundary, to the north-eastern corner of Santa Clara county, upon the summit of the Coast Range of mountains, said point being also the south-east corner of Alameda county; thence southerly following the water divide of said mountains, which is the boundary line between the counties of Stanislaus and Santa Clara, eight miles, more or less, to the point where the United States township line between townships six and seven south, range five east, if produced, would crown said mountains; thence due west along said line, fifteen miles, more or less, to the north-eastern boundary of the Rancho Cañada de Pala; thence along said boundary as finally surveyed, north-westerly, to the source of the Arroyo del Aguag or Penetencia creek, thence down the channel of said arroyo, following the course which it takes in the wet season, through the willows in the vicinity of Richardson's and James Murphy's, passing the town of Milpitas, to the place of beginning, being the whole course of said stream, from its source in the mountains nearly to its mouth at the head of Coyote slough.

Alviso.—Commencing at the mouth of the Guadalupe river upon the Bay of San Francisco, and running up the channel of said river to the old Spanish bridge, so called, said bridge being about one and one-half miles above Lick's mill; thence north-easterly along the boundary of the Rancho Rincon de los Esteros, or Alviso Rancho, along which boundary a county road has been located, to the Penetencia creek, near John Trimble's; thence down to the channel of said Penetencia creek to its mouth in the Coyote slough, so called; thence down the said slough, and along the shore of the Bay of San Francisco to the place of beginning.

Santa Clara.—Commencing at a point upon the Guadalupe river, at the old Spanish bridge, so called, before described as the corner of Alviso township, and running thence down the channel of said river to the point before described as the corner of Fremont township, where the United States township line, between townships one and two west, intersects said river; thence due south on said line, being also the line of Fremont township, seven and one-half miles, more or less, to the road described as the county road running from San José west to the mountains, at the corner of Fremont township; thence due east upon the line of said road passing Blaburn's, Craft's and Rucker's, to the point where the eastern boundary line of the final survey of the Rancho de Tito or Quito, confirmed to one of the Alvisos, crosses said road; thence southerly along said boundary, passing the Bland place, two miles, more or less, to the corner of the Rancho Rincoñada de los Gatos, or Hernandez Rancho, said corner being upon the Arroyo San Tomas Aquino, near the old residence of the late Sebastian Peralta; thence southerly along the boundary of the final survey of the said Rancho de Rincoñada de los Gatos, to the point where said line crosses the Arroyo de los Gatos; thence down the channel of the said Arroyo de los Gatos, two and one-quarter miles, more or less, to the point where the Mount Diablo meridian line of the United States township surveys crosses said arroyo; thence due north upon said meridian line, five miles, more or less, to the point upon the Guadalupe river, where said line crosses the same near Kennedy's old place upon the Stockton Rancho; thence down the channel of said river, two and one-half miles, more or less, to the place of beginning.

New Almaden.—Commencing at a point upon the Arroyo de los Gatos, where the eastern boundary of the Rancho Rincoñada de los Gatos or Hernandez Rancho, as patented, crosses the same, and running thence, southerly, along said boundary of said rancho, as finally surveyed, four miles, more or less, to the south-east corner of said rancho, near James F. Kennedy's; thence due south to a point upon the summit of the Santa Cruz mountains, about two miles easterly from the place where the turnpike road from Santa Clara to Santa Cruz crosses said mountains; running thence south-easterly

along the summit, or water divide, of said mountains, which is the boundary between Santa Clara and Santa Cruz, seven miles, more or less, to the corner of Gilroy township; thence due north to the source of the Arroyo de los Alamitos; thence down the said *arroyo*, passing the Hacienda of the New Almaden mines, to its junction with the Guadalupe Seca; thence down the last-named *arroyo* to its junction with the Arroyo de los Capitancillos; thence up the last-named stream, one and one-half miles, more or less, to the corner upon said stream of the Rancho de San Juan Bautista, or Narvaez Rancho, as finally surveyed by Charles T. Healy, United States Deputy Surveyor; thence north-westerly along the boundary line of said rancho to the most westerly corner thereof, upon the Arroyo de los Gatos; thence up the last-named stream, one and one-quarter miles, more or less, to the place of beginning.

San José.—Commencing at the old Spanish bridge upon the Guadalupe river, before described as the corner of Alviso township, and running thence up the said river two and a half miles, more or less, to the point where the meridian of Mount Diablo crosses said river near the old residence of Mr. Kennedy on the Stockton Rancho; thence due south upon said meridian line to the Arroyo de los Gatos; thence up the channel of said *arroyo*, one and one-quarter miles, more or less, to the corner of the Rancho San Juan Bautista, or Narvaez Rancho, as finally surveyed by Charles T. Healy, United States Deputy Surveyor; thence south-easterly along the boundary of said survey to the corner of said rancho, upon the Arroyo de los Capitancillos; thence down said stream to its junction with the Arroyo Guadalupe Seca, at the junction of the roads from the New Almaden and Guadalupe mines to San José; thence up the channel of the said Arroyo Guadalupe Seca to its junction with the Arroyo de los Alamitos, which comes in from the direction of the Almaden mines; thence north-easterly in a straight line to the most north-western corner of the Rancho de la Laguna Seca, or Fisher's Rancho, as finally surveyed by A. W. Thompson, United States Deputy Surveyor; thence north-easterly along the boundary of said rancho to the Coyote river, three-fourths of a mile, more or less, below the Twelve-mile House, upon the Monterey road, said point being also a corner of the Rancho de Yerba Buena, confirmed to Antonia Chabolla; thence north-easterly, following the boundary of said Rancho of Chabolla, as patented, five miles, more or less, to its intersection with the United States township line between townships seven and eight, range three east, and running thence due east upon said township line, passing through the valley called Cañada de San Felipe, to the point upon the summit of the Coast Range of mountains, where said United States township line, if produced, would cross the same, said point being upon the boundary line between the counties of Santa Clara and Stanislaus; thence north-westerly, following the said summit, or water

divide, seven miles, more or less, to the point before described as the south-east corner of Milpitas township; thence due west upon the line of said Milpitas township to the boundary of the Rancho Cañada de Pala, or Wilson and Quivey Rancho, as surveyed by J. W. Wallace, United States Deputy Surveyor; thence north-westerly along the boundary of said rancho to the source of the Arroyo del Aguag, or Penetencia creek; thence down said Penetencia creek, following its course through the willows, passing Richardson's and Murphy's to the corner of Alviso township, upon said Penetencia creek, near John Trimble's; thence south-westerly along the boundary line of the Rancho Rincon de los Esteros or Alviso Rancho, which is the line of Alviso township, two and one-half miles, more or less, to the place of beginning.

Though uninteresting to the general reader, the foregoing dry details form a no mean lesson of practical utility, the production of which is rendered necessary in a work which purports to serve the double purpose of easy reference and pleasant recreation. To follow, year by year, the changes effected by successive Courts of Sessions and Supervisorial Boards, would be taxing to too great an extent, the patience of the reader, and would serve no good purpose; suffice it to say that township boundaries have been rectified, as the necessity for such arose, while in one instance the abolished Redwood township had been re-created August 10, 1855.

School Districts.—On October 8, 1855, we find the first record of the county having been partitioned into school districts, there being sixteen in all, six of which were allotted to the townships of Fremont, Santa Clara and Redwood, and ten to San José, Alviso, Burnett, Almaden, and Gilroy. This division would appear to have embraced too large a scope of territory, for, on the 7th November of that year, the township of Santa Clara, in itself, was formed into four separate school districts. In 1859, February 7th, the division of Gilroy township into the districts of San Ysidro, Adams and Gilroy; Lone Mountain, in Redwood; Lexington, in Redwood and New Almaden; and in the following year, Guadalupe in Alviso, were all created—but why pursue this theme further. Like in the townships themselves, the motto "circumstances alter cases," was apposite; boundaries and limitation lines were perpetually being altered at the solicitation of innumerable petitioners, the authorities, ever with an eye to the people's welfare, in most cases granted the prayer, until after an infinity of rectifications, the present school districts of the county were named.

Election Districts.—The first record extant of the division of the county into Electoral Precincts is that for an Election called on May 4, 1850, for the purpose of choosing two Justices of the Peace and one Constable for Washington township, the polling places established being at San José, at the Court House, with Samuel C. Young Inspector; Gilroy, at the house of John

Gilroy, Manuel Gilroy Inspector ; Santa Clara, at the house of Charles Clayton, Charles Clayton Inspector ; Redwood, at Campbell's Mills, — Dabney Inspector ; and Washington, at the store-room of H. C. Smith, Lone Kemble Inspector. At the same time a precinct was established at Alviso, in Washington township, with Thomas Burnett as Inspector. With few alterations these divisions would appear to have sufficed for the wants of the residents, until, so urgent had they become, February 5, 1867, the county was again redistricted into Union, Almaden, Alviso, Burnett, Mayfield, Mountain View, Gilroy, San Ysidro, Solis, Milpitas, Lexington, Saratoga, Santa Clara, Berreyessa, Evergreen, Oak Grove, and San José, but in the following year the latter was divided into districts number one and two and redivided into three districts, April 10, 1872. Naturally, where the increase of population has been so large, the precincts enumerated above have proved insufficient to the wants of the voters, until at the present writing, they have been trebled.

Road Districts.—Another criterion of the rapid development of a hitherto sparsely peopled country is the want immediately felt for carefully laid-out roads and easy means of transport. He who has experienced such a desire can fully appreciate the comfort of well-graded thoroughfares and smoothly macadamized streets. The scarcely to be recognized trails give place, as if by magic, to the skill of the surveyor; the dangerous ford to the well-built bridge and the impenetrable undergrowth to the road-makers' ax. In a few short years miraculous changes are worked, and science brings places within comfortable travel and neighbors within ken. Santa Clara in the pre-American days was not a whit better off than the neighboring counties. True it possessed the grand old Alameda laid out, according to Frederic Hall, in "the midnight year of the last century," 1799—but more of this avenue anon. Other highways had been built, which we will endeavor, as we go on, to locate in their proper districts, but it is not until August 19, 1850, that we find any official record of there being such. On that date the Court of Sessions passed an order declaring certain roads public highways. The matter once taken in hand, with the aid of the citizens, was pushed with becoming vigor. On October 21, 1852, the county was divided into nine road districts, and proper appointments made for their supervision and maintenance. In 1856, once more was a partition into road districts made, and in February of that year, a road fund, to be composed of *all moneys* received from taxes, property taxes for road purposes, and all fines for non-compliance of citizens with the road laws, was created. We have not the space at our disposal to follow the hundreds of petitions for this purpose as they appear in the Records of the Court of Sessions and Board of Supervisors. To give even an outline of each road would more than fill a volume of no ordinary proportions. As the fertile district was settled, each new arrival felt the want of some avenue of outlet from his homestead, connection was needed with the

main arteries of traffic, the inevitable petition to the authorities was transmitted to the proper quarter, and, where the necessity was proved, never was the prayer rejected. With the opening out of fresh highways more districts were imperatively necessary; with the creation of these districts it was as necessary to appoint overseers; and now Santa Clara county is blessed with a net-work of roads, better than which there are none in the State.

Court of Sessions and Board of Supervisors—Once more we have to record the accession to power of the Court of Sessions, who held their first *sederunt*, April 7, 1854, in lieu of the Board of Supervisors, who were abolished; but after only a year of office, the Supervisorial Board was re-established in pursuance of an Act passed March 20, 1855, entitled "An Act to create a Board of Supervisors in the counties of this State, and to define their duties and powers." For better reference the ninth section of the above Act is quoted in full: "The Board of Supervisors shall have power and jurisdiction in their respective counties. *First*, To make orders respecting the property of the county, in conformity with any law of this State, and to take care of and preserve such property. *Second*, to examine, settle, and allow all accounts legally chargeable against the county, and to levy, for the purposes prescribed by law, such amount of taxes on the assessed value of real and personal property in the county, as may be authorized by law; *provided* the salary of the County Judge need not be audited by the Board; but the County Auditor shall, on the first judicial day of each month, draw his warrant on the county Treasurer in favor of the County Judge for the amount due such Judge as salary, for the month preceding. *Third*, To examine and audit the accounts of all officers having the care, management, collection or disbursement of any money belonging to the county, or appropriated by law, or otherwise, for its use and benefit. *Fourth*, To lay out, control, and manage public roads, turnpikes, ferries, and bridges within the county, in all cases where the law does not prohibit such jurisdiction, and to make such orders as may be requisite and necessary to carry its control and management into effect. *Fifth*, To take care of and provide for the indigent sick of the county. *Sixth*, To divide the county into townships, and to change the divisions of the same, and to create new townships, as the convenience of the county may require. *Seventh*, To establish and change election precincts, and to appoint inspectors and judges of elections. *Eighth*, To control and manage the property, real and personal, belonging to the county, and to receive by donation any property for the use and benefit of the county. *Ninth*, To lease or to purchase any real or personal property necessary for the use of the county, *provided* no purchase of real property shall be made unless the value of the same be previously estimated by three disinterested persons, to be appointed for that purpose by the County Judge. *Tenth*, To sell at public auction, at the

Court House of the county, after at least thirty days' previous public notice, and cause to be conveyed, any property belonging to the county, appropriating the proceeds of such sale to the use of the same. *Eleventh*, To cause to be erected and furnished, a Court House, jail, and such other public buildings as may be necessary, and to keep the same in repair; *provided* that the contract for building the Court House, jail, and such other public buildings be let out at least after thirty days' previous public notice, in each case, of a readiness to receive proposals therefor, to the lowest bidder, who will give good and sufficient security for the completion of any contract which he may make respecting the same; but no bid shall be accepted which the Board may deem too high. *Twelfth*, to control the prosecution and defense of all suits to which the county is a party. *Thirteenth*, To do any and perform all such other acts and things as may be strictly necessary to the full discharge of the powers and jurisdiction conferred on the Board." The second section provided that in all counties where no Board of Supervisors already existed, the County Clerk, the County Assessor, and the County Surveyor, should constitute a Special Board, who should, previous to the first election therein provided for, divide the county into a number of districts corresponding with the number of Supervisors to be elected. For this purpose the Special Board convened and apportioned the county as follows: District No. 1, to comprise the townships of Alviso, Fremont, and Santa Clara; District No. 2, San José township; and District No. 3, to be formed of Almaden, Burnett, and Gilroy townships; the first Board of Supervisors under the new Act being: for District No. 1, Samuel Henderson, Chairman; William R. Basham, District No. 2; and District No. 3, David Murphy; who held their first session May 7, 1855. In November, 1856, Redwood township was added to the First Supervisorial District, since when changes, as they appeared necessary, have been made, boundaries changed, and the county re-districted.

Post-offices.—Among the first signs of a thorough county organization is the establishment throughout its length and breadth of a system to facilitate the transmission of correspondence from point to point; to attain this end is the object of post-offices. To set at rest any doubt which may remain in the minds of the residents of Santa Clara as to who were the first postmasters at the different stations in the county, the accompanying information has been most courteously furnished us by the Post-office Department at Washington:—

"POST-OFFICE DEPARTMENT,
"OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
"Washington, D. C., November 22, 1880. }

"Alley, Bowen & Co., San José, Santa Clara County, Cal.—Sirs: Your communication of date, August 31, 1880, in which you ask for the date of

the establishment of the post-offices in Santa Clara county, California, and also the names of the different postmasters of said post-offices when established, has been received at this Department. In answer thereto, please find the following, as recorded on the books of the Department.

"Respectfully,

JAMES H. MARR,

"For First Assistant Postmaster-General."

NAME OF POST-OFFICE.	NAME OF POSTMASTER.	WHEN ESTABLISHED.		
Alma, late Lexington	Isaac Paddock,	June	6,	1861
Alviso	Richard Carr,	August	17,	1859
Bell's Station	L. F. Bell,	April	10,	1873
Burnett	John Barry,	April	30,	1862
Evergreen	Frank J. Smith,	August	24,	1870
Gilroy	James Houck,	October	21,	1851
Gilroy Hot Springs	George Roop,	March	28,	1873
Los Gatos	D. McCobb,	December	8,	1864
Mayfield	James Otterson,	June	12,	1855
Milpitas	Frederick Creighton,	May	31,	1856
Mountain View	Jacob Shomway,	January	18,	1854
New Almaden	Ralph Lowe,	December	23,	1873
Pachin	Horace G. Fitch,	March	28,	1872
Pioneer	Hugh L. Downer,	November	8,	1875
San Felipe	Elijah R. Dunlap,	July	10,	1868
San José	John R. Wilson,	August	7,	1851
San Ysidro	James W. Gould,	July	30,	1866
Santa Clara	Fletcher Cooper,	July	28,	1851
Saratoga, late McCartysville and Bank Mills	Levi Millard,	November	2,	1855
Sargent, late La Brea	Alonzo Johnson,	September	11,	1874
Sherman	Daniel Mallory,	December	13,	1867
Tennant	William Tennant,	April	5,	1871

County Buildings.—A sure sign of organization in a State, county, city or town is the erection of suitable premises wherein the public business may be dispatched with comfort and punctuality. To the first government of the County of Santa Clara this want was comparative in degree, for they became successors to the Ayuntamiento or Juzgado, that venerable edifice constructed in the year 1798, when the Pueblo of San José was in its infancy and the value of the golden State had not even been foreshadowed. Here they found, in 1850, the adobe building, as it stood on what is now known as Market street, in the City of San José, near the corner of El Dorado street. It was but an easy transition to proclaim this the County Court House, yet its capacity was insufficient for, on June 6, 1850, we find the Court of Sessions issuing notices calling for proposals, by donation or sale, for the purpose of erecting county buildings, the Court, a month later, ordering that these should be located on lots, Nos. 3, 4, 5, 6, 7, and 8, in block No. 4 and range No. 6, and lots, Nos. 1, and 4, in block No. 4, and range No. 7, south of the base line, it being understood that the jail should be located on the latter of these lots. The Court further declared that the County Judge do take a deed in fee-simple for said lots, from James F. Reed, they being a

donation to the County of Santa Clara. No immediate progress, however, was made, for it is not until October 21, 1851, that we find the selection, by Judge J. W. Redman, of Market square as a proper site, and its conveyance to the county confirmed. This building was erected on the west side of First street, but its precise location we will particularize elsewhere. Its walls were composed of the never-failing adobe, its lower story was used as a court-room, and its upper floor divided into public offices. The records tell us that directions were given, under date of February 21, 1852, that the eastern room should be tendered to the Mayor and Common Council of the City of San José for their use; but here did not their generosity rest, the Methodist Church, South, were also permitted to use the room for the purpose of holding service therein. It would, however, appear that the accommodation was still inadequate, as, on December 17, 1852, the appointment of a committee is recorded whose duties were to examine and report upon the propriety of erecting, or procuring, some suitable building for the county officers. In the performance of this duty they reported, that after careful examination, and considering the insecure, inconvenient, and combustible nature of the offices then in use, it was their duty to recommend the fitting up of the old State House, a plan which was adopted, the alterations and improvements being effected under the superintendence of Levi Goodrich and L. H. Bascom, who were appointed a committee for that purpose. The State House having been unfortunately destroyed by fire on March 29, 1853, the walls of the building were ordered to be sold at auction by the Sheriff, and on November 8th, R. G. Moody was appointed a committee of one to purchase the building and ground of Mr. Caldwell, on the corner of San Fernando and Second streets, "opposite the Brick Church," the District Attorney being at the same time instructed to make a search of the records to ascertain the presence of any incumbrances and the validity of Caldwell's proprietary rights. This building had borne the purely Californian cognomen of the "What Cheer House," a name much affected for houses of entertainment in other parts of the State. Prior to the occupancy of their new building, however, the county took possession, for a short term, of the adobe building owned by F. Lightston, on Lightston alley. Necessity caused energy; on the 14th November the sum of four thousand dollars was allowed for the purchase of the premises, and on December 7, 1853, the old "What Cheer House" was declared to be the Court House for Santa Clara county. With a permanent Temple of Justice the very necessary adjunct of a jail was indispensable, therefore, August 9, 1854, the Court of Sessions, who had once more assumed the Supervisorial reins, directed the construction of a prison, by Marcus Williams, at a cost of fifteen thousand dollars, and in 1855, the county buildings were still further augmented by the leasing of a house on Second street to serve as the County Hospital. On December 10, 1855,

the Supervisors, who were once more in power, in place of the now entirely abolished Court of Sessions, ordered the purchase of certain property known as the "Sutter House," with twenty-five acres of land attached thereto, from Merritt Brothers, for five thousand five hundred dollars, but the vendors failing to execute a good and sufficient deed, the contract was revoked, February 15, 1856.² In 1858 more room was still wanted. For the convenience of the public the Recorder's office was removed to Lightston's building while a conference was had with the Board of Trustees of the City of San José in relation to renting the City Hall as a more convenient structure for the Court House and county offices, a scheme which was matured, August 24, 1860, the Mayor and Common Council granting the use of the upper portion of the City Hall to the county, whose buildings on San Fernando and Second streets were handed over to the civic authorities.

More stable thoughts had now entered the well-balanced minds of the Board of Supervisors, for we find them, under date August 8, 1860, offering a premium of one hundred dollars to him who would furnish the best plan and specifications for a Court House and county offices "to be built of bricks," a prize which was won by Levi Goodrich. That the Board was in earnest is a matter of record. On March 16, 1861, their minutes tell us it was ordered that A. L. Rhodes, the Senator from the county, be requested to introduce into the Legislature an Act for the issuance of bonds for the purpose of erecting a Court House and other county buildings, to the amount of fifty thousand dollars, payable in twenty years with interest and one-twentieth of the principal payable annually, with what result will shortly appear. In the meantime property had been purchased whereon to build a County Hospital, while in accordance with an Act amendatory of "An Act to provide for the indigent sick in the counties of the State—Approved March 31, 1855," the Supervisors formed themselves into a Board of Directors of the Infirmary of the County of Santa Clara.

Once more were the county officers on the move and in search for more ample quarters. On November 8, 1862, certain buildings were leased from Martin Murphy, on a tenure of five years, which they would appear to have held in peaceable possession for a considerable time. Although Mr. Goodrich had been awarded the premium offered for the most successful plans in 1860, it was not until September 25, 1865, that the Honorable Board awoke to the fact that a Court House, "to be built of bricks," was urgently needed, they, therefore, with one accord, on that date, agreed to proceed to take all necessary measures for the immediate erection of that building, which, in consonance with a motion adopted, should be located upon the county property between Second and Third streets, directly south of San Fernando street. But here did they not stay; to complete matters Supervisors Robinson, Quimby and Sleeper were, there and then, appointed a building com-

mittee to superintend construction. On the 14th November, however, the subject of location was reconsidered and another committee appointed to inquire into and report as to the best site for a Court House and the value of property suitable for such a purpose. Three days afterwards the committee recommended the purchase of the fifty-vara lot on First street, situated between St. John and Julian streets, fronting on St. James' square, the property of W. H. Hall, at a price of five thousand dollars, provided donations of twelve and a half feet be made by the estate of Robert Walkinshaw, and Josiah Belden, from the front and rear lots adjoining on the south, which would make the proposed frontage one hundred and fifty feet. The report was adopted, the Board voting: Supervisors Sleeper, Perkins and Robinson in the affirmative and Quimby and Yates in the negative. A committee was forthwith appointed to consummate the purchase; an order that a certain sum for such a purpose should be set aside was passed; on November 21st Hall's title to the land was reported as good and valid, the committee on purchase was authorized to draw on the Treasurer of Santa Clara county for such an amount as would be equal to the full payment of the same; on the 22d November the committee was authorized to enter into a contract with Levi Goodrich, Architect, to furnish plans and specifications for, and to superintend the construction of a Court House, and, that in connection with the architect they at once advertise for proposals for digging the foundation. March 13, 1866, the issuance of bonds of the county was authorized, to the amount of twenty-five thousand dollars, in conformity with the Act entitled "An Act to authorize the issue of bonds by the County of Santa Clara to erect county buildings and confirm the purchase of the site selected therefor—Approved March 1, 1866," and the Act amendatory thereof and supplemental thereto. These bonds were issued at the rate of five hundred dollars each, payable on or before January 1, 1881, and to bear interest at the rate of twelve per cent. per annum. The building progressed with rapid strides; in due course of time it was completed, and on December 30, 1867, the new Court House was directed to be occupied by January 1, 1868.

Thus was completed the finest Court House in California. It is of the Roman Corinthian order, situated on First street and overlooking St. James' park, whose luxuriant green lawn and profuse foliage, lends relief to the eye when tried by the overpowering glare of the noonday sun. Its foundation is of the utmost durability, the walls resting on a substructure of concrete to a depth of six feet, and of a like number of feet in thickness. Ponderous brick arches support the lower floor, while all the walls are of the same material, the basement ones being four feet in thickness, and the upper twenty-one inches. Above the basement the building has two stories, and its dimensions are in frontage one hundred feet; in depth, including the portico, one hundred and forty feet; the height to the cornice is fifty-six



S. H. Ayer.

feet; it is one hundred and fifteen feet to the top of the dome, the least diameter of which is seventeen, and the greatest fifty feet; its portico, a magnificent specimen of the columnated façade showing in its fine proportions richness, strength and beauty, is seventy-six feet in length, the height of the columns being thirty-eight and the diameter four feet. The windows, which are of the finest French plate glass, are each surmounted with pediments, those on the lower story being arched. Each window-frame is made of highly ornamented cast-iron, the whole weighing, with iron shutters, about three thousand six hundred pounds. The roof is covered with zinc. The dome finds light from eleven elliptical windows, surmounted with an iron railing forty-two inches in height, and is reached by a staircase numbering one hundred and seventy-two steps, divided into three landings. This noble structure is divided into twenty-one rooms, two of these being designed and used as court-rooms, one fitted up for the Board of Supervisors, and the remainder apportioned to the different county officers, all being well furnished and appropriately appointed. The court-rooms are also elaborately embellished, the larger of the apartments being of noble proportions, sixty-five by forty-eight feet, and thirty-eight feet high. Through the ceiling, which is supported by fluted pilasters of the Corinthian and Ionic orders, and divided into twelve deeply sunk panels set with opaque glass, the room receives its light, while behind the forum is a recess, over which appears the legend, "JUSTITIA ET CLEMENTIA." The entire exterior of the structure is of imitation stone. The main entrance is gained by an ascent of thirteen granite steps, and here, high overhead, is what Milton describes as the "frieze with bossy sculptures graven," where stands out in bold relief the motto "JUSTITIA DEDICATA."

No sooner was this splendid building completed than an overpowering sense of magnificence seized upon the Honorable Board of Supervisors, for we find them making strenuous efforts to make their Court House the *habitat* of the State Legislature, the removal of which from Sacramento to some more central position was being then seriously canvassed, and what more natural than that the first capital of the State should try to regain its lost honors! On February 4, 1868 appears the following:—

"Resolved, That in the event of the General Assembly of the State of California determining to remove the State Capital to the County of Santa Clara, the Board of Supervisors of the said County of Santa Clara for and in behalf of said county, tender to the State the free and entire use of the Court House of said county for State purposes, until such a time as a Capitol Building may be erected in said county, provided that said Capitol Building shall be erected within five years:" and again, on the day following the accompanying motion was carried:—

"Resolved, That the Honorable the Members of the Legislature and

attachés thereof, one and all, are hereby invited and solicited to visit the City of San José, and to inspect for themselves its eligibility as a seat of Government of this State, prior to any final action by them touching that subject matter; and that the hospitalities of the city and county will be cordially extended to them." The building being now completed it was thrown open to visitors on Sundays. This order was, however, rescinded June 15, 1872, after having been in operation for nearly three years.

In the Winter of 1869-70 steps were taken for the erection of a new jail, the plans for which Levi Goodrich were instructed to prepare, the amount to be within forty thousand dollars. In order to compass this undertaking the Board of Supervisors, April 12, 1870, directed that bonds be issued to the extent of eighty thousand dollars in conformity with the Act of the Legislature entitled "An Act to authorize the issuance of bonds by the County of Santa Clara for the completion of the Court House of said county and to erect a County Jail—Approved March 25, 1868," and an Act entitled "An Act to amend Section one of an Act entitled An Act to authorize the issue of bonds by the County of Santa Clara to complete the Court House of said county, and to erect a jail. Approved March 25, 1868—Passed March 4, 1870." These bonds, which were to bear interest at the rate of twelve per cent., per annum, were directed to be offered for sale, and were, June 6, 1870, awarded to M. Ehrlich of San Francisco, who purchased the whole eighty thousand dollars, bearing interest at ten and one-half per cent., per annum, the scrip for which was delivered June 21, 1870. September 3, 1870, certain lands for jail purposes were bought of C. W. Pomeroy for fifteen hundred dollars, and in October, 1871, property costing twelve thousand four hundred dollars was obtained from J. S. Connor, where it was contemplated to establish a County Farm, and in addition to this, May 4, 1872, the contract to build a pest-house was awarded to George Fitzgerald. In the meantime it was resolved to erect a County Infirmary and, May 4, 1875, the bid of A. J. Saph for fourteen thousand, four hundred and twenty-two dollars for building the same was accepted, and Lenzen & Gash appointed to superintend the construction.

The County Jail.—The jail building on the Court House lot, is a model of prison architecture, and a credit no less to the county than to the architect and superintendent. The plan of the building is original and entirely new, being designed by the architect with special care for the comfort and security of prisoners. The main prison, one hundred and twenty by forty-two feet, and twenty-one feet high, is built on a solid concrete foundation and granite water-tables. The walls are eighteen inches thick, of brick, with four-inch iron bars running through the center, four and a half inches apart and riveted firmly together, extending around the entire building. Through the central part of this building are two rows of cells, twenty in all, which

are built in the same substantial manner as the main walls, being covered overhead by solid arches of heavy iron work and masonry. A large corridor extends completely around these rows of cells, and a commodious passage-way between them. The floor of this portion of the building is constructed as follows: First, a solid foundation of concrete, which is overlaid with large stones or boulders, filled with hydraulic cement to a level, which is finished over with a heavy coat of asphaltum. The roof is of solid sheet-iron, strongly anchored down to the substantial wall with massive couplings. Along the center of the roof, extending the entire length, is an ample skylight of heavy iron sash, strongly guarded from below by a net-work of solid iron. On top of the plate of the roof is a layer of brick, finished over with asphaltum, after the manner of laying sidewalks. The keeper's apartment adjoins the main building on the front, and is forty-two feet square and three stories high, with ornamented fronts on the south and east. The lower floor of this portion of the building is divided into apartments for the jailer and his family, and containing also the kitchen, store-room, and furnace for heating the whole prison. The second and third stories are divided into large and comfortable cells designed for the keeping of prisoners pending trial on minor offenses. All of the walls and partitions of this portion are built in the same massive and substantial manner as the main prison. The stairways are all of solid granite, and the floors are constructed in a manner which renders them perfectly secure. The whole prison is well lighted by ample windows and skylights, all of which are made secure by heavy iron gratings. The arrangements for the sanitary condition of the jail are admirable and in keeping with the advancing humane spirit of the age. The heating arrangements communicating with every portion of the building are admirably designed and well adjusted, while the ventilation is all that could be desired. The cells are all furnished with cast-iron sinks and water-closets that communicate with ample sewers which carry away every particle of filth that may accumulate in the prison. The hoppers or sinks are covered with tight-fitting caps, which shut off all draft of the offensive air coming from sewers. In suitable apartments are two well-arranged bath-tubs, with hot and cold water, for the use of the prisoners. The doors of the whole building are of heavy iron, and are hung in the most approved style on large wrought-iron hinges, while the locks and other fastenings are complete in every detail. The inner face of all the walls are whitewashed, which gives a cheerful aspect to the interior. The cost was about sixty thousand dollars.

Santa Clara County Infirmary.—The infirmary is located about three miles south-west from San José. The building was erected in 1875, at a cost of twenty thousand dollars. Before that time the accommodations had not been adequate, consequently there was a greater mortality and more suffering. Dr. A. J. Cory, A. M., M. D., the leading and controlling spirit, who

inaugurated a more humane condition, is a prominent and revered physician in this county. He was first appointed physician and surgeon of this county to and for the infirmary, April 8, 1861, till January, 1862, and held the position at various times for the period of nine years and nine months, during which time three years were in succession (appointment by the year), and six years in succession (two years each by appointment). During all that time the doctor struggled to give opinion to the tax-payers, and the result is that a beautiful structure has been erected, and everything conducive to the welfare of the waifs of humanity has been done, so that their sufferings may be assuaged and their pillows smoothed as they fall into the grave. Let us here give a brief description of this building and grounds in their order; the time of appointment, and for what time and salary, from 1857 to 1881, of the different physicians who were appointed.

The new building is three stories high, built after the Gothic style of architecture. It has six wards, which will accomodate sixty-five patients; gas, water and all the modern improvements are connected with the building. There are three other buildings, containing nine other wards, with the capacity to accommodate fifty patients. The number of acres of land connected with this institution is one hundred and fourteen.

In 1857 Dr. A. B. Caldwell (received \$2.50 for each patient per day) was appointed from March, 1857, to 1859.

Dr. T. D. Johnson, from 1859 to 1860; salary, \$4,000. From 1860 to 1861, Dr. T. D. Johnson; salary, \$4,500. For nine months after this term Dr. A. J. Cory (appointed). From 1862 to 1863 Drs. Johnson & Brown; salary, \$750. From 1863 to 1865, Dr. A. J. Spencer; salary, \$1,500 per year. From 1865 to 1866, Dr. A. J. Cory; salary, \$675. From 1867 to 1868 Dr. A. J. Cory; salary, \$676. From 1868 to 1870 Dr. A. J. Cory; salary, \$1,200 per year. From 1870 to 1872 Dr. A. J. Cory (Physician and Superintendent); salary, \$3,240 per year. From 1874 to 1876 Dr. A. J. Cory; salary, \$1,500 per year. From 1876 to 1878 Dr. A. McMahon; salary, \$1,000 per year. From 1878 to 1880 J. B. Cox, Physician; salary, \$888 per year. From 1880 to 1882 Dr. B. Cory; salary, \$1,000 per year.

In the year 1871 the old infirmary buildings were removed from the former site to two and one-half miles from San José, where the infirmary has since been located. The magnificent building has been erected since, dedicated to Sickness, Poverty, and Charity — a temple which is an honor to Santa Clara county, and is considered a model of its kind throughout the State. Hither shall seek shelter, through many generations, such as Dickens tells us of in his story in the "Seven Travelers"—"There shall rest the pilgrim and friend, and there shall be no one to make afraid." Let us hope and trust that this monument which the genius of civilization has erected shall exist for our time, day and generation.

Before 1863 there was no location for the infirmary, and the pest-house was an eye-sore in the very City of San José. The infirmary then was cosmopolitan, and as such traveled from street to street. We therefore see the progress made in this one field, and admire the intellect which inspired it. In all countries and ages it has been the grand crowning act of humanity to be humane; therefore infirmaries have been established, and in this spirit we say, so let them continue to progress in the grand mission, then the human race will be relieved of one burden that it may suffer less. To this end the tax-payers of Santa Clara county have done their best, and shall still continue so to do. There is no more beautiful spot in the county than where these unfortunates are provided for. Long may the pilgrims enjoy the peace and comforts of the home which the people of this county has given to the unfortunate nomad.

The present county physician is Dr. Benjamin Cory, A. M., M. D., a man who has exercised more charity and ability towards the poor of this county than any whom we know of. He is one of the oldest of the pioneers, and this work gives him credit for the progress made in Santa Clara county since 1847. In conclusion, we will say that if every county in each State should have such accommodations for indigent sick then should the tax-payers rejoice and charity be satisfied.

THE POLITICAL HISTORY OF THE COUNTY.—We now come to the second branch of the Legislative History of Santa Clara, namely, that which has been termed the Political History of the county. This, it is to be feared, however, may be considered a misnomer, as, in the rest of this chapter much will be found which in itself has no political significance, while a considerable amount may be recognized as being purely political. All our information has been garnered from the records of the Court of Sessions and Board of Supervisors, who, though exercising political functions, have still authority over affairs non-political, therefore the remarks made below may be said to relate more to the *government* of the county than to its *politics*.

Mexican Government.—Prior to the year 1839, not much is known of the political divisions of California; on February 26th of that year, Governor Alvarado dubbed it a Department and partitioned it into three districts. In the second of these was Santa Clara county.

The government was invested in a Governor and a Departmental Assembly, from which was constituted the Legislative Assembly that held its sessions in Monterey, the then capital. In order of precedence, the political officers next to the Governor were the Prefects, having jurisdiction over districts; Sub-Prefects, Ayuntamientos or Town Councils, Alcaldes, and Justices of the Peace.

We are informed on reliable authority, the Mexican law contemplated the

formation of a Superior Tribunal for each Department, and that provision for the establishment of such a court, with two lesser ones for California, had been made. The tribunal was to be composed of four Judges and one Attorney-General, the senior three of the former to sit upon the first, and the junior one on the second bench. This latter, known as the Court of Second Instance, heard appeals from the Court of First Instance, and had original jurisdiction in certain cases. The senior Courts sat at the capital of the Department, while that of First Instance held its sessions at the chief town in a district, where it exercised a general jurisdiction and attended to cases involving more than one hundred dollars, those for a less sum being tried by the Alcalde and Justice of the Peace.

There is no record of a Superior Tribunal ever having been established in California under the Mexican Government, and no Court of First Instance in San José, the chief town of the district, until 1849, when they were commissioned by the authority of the United States. The first Alcalde of San José was appointed in 1845 in the person of Antonio Maria Pico, who was succeeded in the following year by Dolores Pacheco, the officer taken prisoner by Captain Fallon, July 11, 1846, during the time of the antagonistic *régime* of Pio Pico against American settlers. The law was administered then in a peculiarly lax manner; fortunately or unhappily, as the case may be, lawyers had not yet penetrated into the supposed wilds of the Pacific slope. The Alcalde's word was the supremest effort of legal wisdom; his silver-headed cane a badge of office which the most captious must respect, and could not gainsay, while, there being no prisons, it was usual to sentence the Indian to be flogged and others to be fined.

Military Government.—Between the years 1846 and 1849, the country remained under the control of the United States military. In regard to civil law it was utterly at sea. A military commander controlled affairs, but there was no government. As long as the war lasted it was only natural to expect that such would be the case, and the people were content, but after peace had been attained, and the succession of military governors remained unabated, a people who had been brought up to govern themselves, under the same flag and the same constitution, chafed that a simple change of longitude should deprive them of their inalienable rights. With these views, General Riley, who succeeded General Persefer F. Smith, April 13, 1849, entirely sympathized. When it was found that Congress had adjourned without effecting anything for California, he issued a proclamation, June 3d, which was at once a call for a convention, and an official exposition of the administration's theory of the anomalous relations of California and the Union. He strove to rectify the dominant impression that California was ruled by the military. That had ceased with the termination of hostilities, and what remained was the civil government, which was vested in a Gov-

ernor appointed by the Supreme Government, or, in default of such appointment, the office was vested in the commanding military officer of the Department, a Secretary, a Departmental or Territorial Legislature, a Superior Court with four Judges, a Prefect and Sub-Prefect, and a Judge of the First Instance for each district, Alcaldes, Justices of the Peace, and Town Councils. He moreover recommended the election, at the same time, of delegates to a convention to adopt either a State or Territorial Constitution, which, if acquiesced in by the people, would be submitted to Congress. The proclamation stated the number of delegates which each district should elect, and also announced that appointments to the judiciary offices would be made after being voted for. The delegates from this district to the convention were Joseph Aram, Kimball H. Dimmick, J. D. Hoppe, Antonio M. Pico, Elam Brown, Julian Hanks, and Pedro Sainsevain.

Constitutional Convention.—On September 1, 1849, the convention met at Monterey, Robert Semple, of Benicia, one of the delegates from the District of Sonoma being chosen president. The session lasted six weeks; and, notwithstanding an awkward scarcity of books of reference and other necessary aids, much labor was performed, while the debates exhibited a marked degree of ability. In framing the original Constitution of California, slavery was forever prohibited within the jurisdiction of the State; the boundary question between Mexico and the United States was set at rest; provision for the morals and education of the people was made; a Seal of State was adopted with the motto EUREKA, and many other subjects discussed. The Constitution was duly framed, submitted to the people, and at the election held on the 13th November, ratified by them, and adopted by a vote of twelve thousand and sixty-four for, and eleven against it; there being, besides, over twelve hundred ballots that were treated as blanks, because of an informality in the printing. The vote of the District of San José on the occasion was five hundred and sixty-seven votes for, and none against, its adoption, while five hundred and seventeen votes were cast for Peter H. Burnett, as Governor, and thirty-six for W. S. Sherwood. The popular voice also made San José the capital; but here let us describe the preliminaries attending this consummation.

San José Made the State Capital.—During the session of the Convention, the residents of San José, in public meeting assembled, elected Charles White and James F. Reed a committee to proceed to Monterey, to there use their utmost endeavors with the members to have San José named, in the Constitution, the State Capital. They found a staunch opponent at once in the person of Doctor Semple, the President, who coveted the honor for his then rising town of Benicia; he offering at the time, that if the favorers of the San José scheme would agree to permit the first session to be held at the

former place, he doubted not but that the permanent location at the latter could be readily effected. This, however, did not suit the views of San José's plenipotentiaries, and, as if to bait the hook, they emphatically promised to be ready with a suitable building by the 15th December, about the time when the Legislature should sit—a rash promise enough when is taken into consideration the fact that such an edifice had not then been completed in the town. Let us see how they redeemed their pledge. At that time there stood on the south half of lot number six, block one, range one, south of the base line—the east side of Market square—a large, adobe structure, erected in the year 1849 by Sainsevain and Rochon, which was meant by them for a hotel. This edifice, as the most suitable the town could offer for a State House, the Ayuntamiento or Town Council purposed to rent for the Legislature, but the price asked was so exorbitant, four thousand dollars per month, that it was deemed best to purchase the building outright; but here the proprietors declared themselves unwilling to take the pueblo authorities as security, who were consequently placed in the two-fold dilemma of being without the requisite funds to effect the purchase, and no credit to rent it. Happily, those citizens in whose coffers lay most of the wealth, rather than see the pristine glories attendant on the presence of the Legislature in San José glide from them, with marvelous generosity, came forward to save the honor of the delegates to the Convention, as well as the credit of the Town Council, and nineteen of them, namely, R. W. May, James F. Reed, Peter Davidson, William McCutchen, Joseph Aram, David Hickey, Charles White, F. Lightston, J. D. Hoppe, Peter Quivey, R. C. Keyes, W. H. Eddy, Benjamin Cory, K. H. Dimmick, J. C. Cobb, P. Sainsevain, J. Belden, Isaac Branham and G. C. Cook, executed a note for the price asked, thirty-four thousand dollars with interest at the rate of eight per cent. per month from date, until paid. A conveyance was made to Messrs. Belden, Reed and Aram, who held the promises in trust for the purchasers, to be ultimately conveyed to the pueblo when it could pay for them. An appropriation of fifty thousand dollars, purchase money for the building, was made by the Legislature, and bonds bearing interest at the rate of two and one-half per cent. per month for that amount were issued; but the credit of the new State, unfortunately, was below par, actual cash in hand was the slogan of the vendors, the bonds were sacrificed at the rate of forty cents on the dollar and the amount received thereby used in partial liquidation of the debt, the indebtedness remaining being, subsequently, the cause of vexatious and protracted litigation.

On Saturday, December 15, 1849, the first State Legislature met at San José. E. Kirby Chamberlin being elected President *pro tem.* of the Senate, and Thomas J. White, Speaker of the Assembly, which august body occupied the second story of the State House; but the lower portion,

intended for the Senate, not being ready, they were relegated, for a short period, to the house of Isaac Branham, located on the south-west corner of Market square. On the opening day, there were only six Senators present; the following day, Governor Riley and his Secretary, H. W. Halleck, arrived, and, on Monday nearly all members were in their places.

Members of First Legislature.—We will now introduce to our readers a number of those of California's first Legislators, an interesting record of by-gone times:—

Senators.—David F. Douglass—Born in Sumner county, Tennessee, the 8th January, 1821. Went to Arkansas with Fulton in 1836. On the 17th March, 1839, had a fight with Dr. William Howell, in which H. was killed; imprisoned fourteen months; returned home in 1842; immigrated to Mississippi; engaged in the Choctaw speculation; moved with the Choctaws west as a clerk; left there for Texas in Winter of 1845–6. War broke out; joined Hay's regiment; from Mexico immigrated to California, and arrived here as wagoner in December, 1848.——M. G. Vallejo—Born in Monterey, Upper California, July 7, 1807. On the 1st January, 1825, he commenced his military career in the capacity of cadet. He served successively in the capacity of Lieutenant, Captain of Cavalry, Lieutenant-Colonel, and General Commandant of Upper California. In 1835, he went to Sonoma county and founded the town of Sonoma, giving land for the same. He was a member of Convention in 1849, and Senator in 1850.——Elcan Heydenfeldt—Born in Charleston, South Carolina, September 15, 1821; immigrated to Alabama in 1841; from thence to Louisiana in 1844; to California in 1849. Lawyer by profession.——Pablo de la Guerra—Born in Santa Barbara, Upper California, November 29, 1819. At the age of nineteen he entered the public service. He was appointed Administrator-General "*de la rentas*," which position he held when California was taken by the American forces. From that time he lived a private life until he was named a member of the Convention which framed the Constitution of the State. Represents the District of Santa Barbara and San Luis Obispo in the Senate.——S. E. Woodworth—Born in the City of New York, November 15, 1815; commenced career as a sailor A. D. 1832. Sailed from New York March 9, 1834. Entered the navy of the United States June 14, 1838. Immigrated to California, *via* Rocky Mountains and Oregon, April 1, 1846. Resignation accepted by Navy Department, October 29, 1849. Elected to represent the District of Monterey in the first Senate of the first Legislature of California for the term of two years.——Thomas L. Vermeule—Born in New Jersey on the 11th June, 1814; immigrated to California November 12, 1846. Did represent San Joaquin district in the Senate. Resigned.——W. D. Fair—Senator from the San Joaquin district, California; native of

Virginia; immigrated to California from Mississippi in February, 1849, as "President of the Mississippi Rangers"; settled in Stockton, San Joaquin district, as an attorney-at-law.——Elisha O. Crosby—Senator from Sacramento district; native of New York State; immigrated from New York December 25, 1848; aged 34.——D. C. Broderick—Senator from San Francisco; born in Washington City, D. C., February 4, 1818; immigrated from Washington to New York City, March, 1824; left New York for California, April 17, 1849.——E. Kirby Chamberlin, M. D.—President *pro tem.* of the Senate, from the District of San Diego; born in Litchfield county, Connecticut, April 24, 1805; emigrated from Connecticut to Onondaga county, New York, in 1815; thence to Beaver, Pennsylvania, in 1829; thence to Cincinnati, Ohio, in 1842; served as surgeon in the U. S. A. during the war with Mexico; appointed surgeon to the Boundary Line Commission, February 10, 1840; embarked from Cincinnati, Ohio, February 15; arrived in San Diego, June 1, 1849, and in San José, December 12, 1849.——J. Bidwell—Born in Chautauqua county, New York, 5th August, 1819; immigrated to Pennsylvania; thence to Ohio; thence to Missouri; thence in 1841 to California; term in Senate, one year.——H. C. Robinson—Senator from Sacramento; elected November 15, 1849; born in the State of Connecticut; immigrated at an early age to Louisiana; educated as a lawyer, but engaged in commercial pursuits; arrived at San Francisco, February, 1849, per steamer *California*, the first that ever entered said port.——Benjamin S. Lippincott—Senator from San Joaquin; born in New York; emigrated February, 1846, from New Jersey; by pursuit a merchant; elected for two years.

Assemblymen.——Elam Brown—Born in the State of New York in 1797; emigrated from Massachusetts in 1805; to Illinois in 1818; to Missouri, 1837, and from Platte county, in Missouri, 1846, to California.——J. S. K. Ogier—Born in Charleston, South Carolina; immigrated to New Orleans, 1845, and from there to California, December 18, 1848.——E. B. Bateman, M. D.—Emigrated from Missouri, April, 1847; residence, Stockton, Alta California.——Edmund Randolph—Born in Richmond, Virginia; immigrated to New Orleans, 1843; thence to California, 1849; residence, San Francisco.——E. P. Baldwin—Born in Alabama; emigrated from thence in January, 1849; arrived in California, May 1, 1850; represents San Joaquin district; resides in Sonora, Tuolumne county.——A. P. Crittenden—Born in Lexington, Kentucky; educated in Ohio, Alabama, New York, and Pennsylvania; settled in Texas in 1839; came to California in 1849; represents the county of Los Angeles.——Alfred Wheeler—Born in the City of New York, the 30th day of April, 1820; resided in New York City until the 21st May, 1849, when he left for California. Citizen and resident of San Francisco, which district he represents.——James A. Gray, Philadel-

phia—Monterey, California; immigrated in 1846, in the first New York Regiment of Volunteers.—Joseph Aram—Native of State of New York; immigrated to California, 1846; present residence, San José, Santa Clara county.—Joseph C. Morehead—Born in Kentucky; immigrated to California in 1846; resides at present in the County of Calaveras, San Joaquin district.—Benjamin Cory, M. D.—Born November 12, 1822; immigrated to the Golden State in 1847; residence in the Valley of San José.—Thos. J. Henley—Born in Indiana; family now resides in Charlestown, in that State; immigrated to California in 1849, through the South Pass; residence at Sacramento.—José M. Covarrubias—Native of France; came to California in 1834; residence in Santa Barbara, and Representative for that district.—Elisha W. McKinstry—Born in Detroit, Michigan; immigrated to California in March, 1849; residence in Sacramento district, City of Sutter.—George B. Tingley—Born August 15, 1815, Clermont county, Ohio; immigrated to Rushville, Indiana, November, 4, 1834; started to California April 4, 1849; reached there October 16th; was elected to the Assembly November 13th, from Sacramento district, and is now in Pueblo de San José.

At the start considerable dissatisfaction was felt in respect to the accommodation offered by the State House, and only four days after its first occupation, George B. Tingley, a member from Sacramento, introduced a bill to remove the Legislature to Monterey. It only passed its first reading and was then consigned to the purgatory of "further action."

Governor Burnett Assumes Office.—Governor Riley resigned his gubernatorial functions to Governor Peter H. Burnett on the 20th December, 1849, and on the same date Secretary Halleck was relieved of his duties, and K. H. Dimmick appointed Judge of the Court of First Instance. On this day also Colonel J. C. Fremont received a majority of six votes, and Dr. William M. Gwin a majority of two, for the United States Senate; while at noon of the following day Governor Burnett delivered his first message.

State Capital Removed.—And now a monster enemy to the interests of San José appeared in the field. General Mariano Guadalupe Vallejo, a Senator from the District of Sonoma, and owning lordly possessions to the north of the San Francisco bay, addressed a memorial to the Senate, dated April 3, 1850, pointing out the advantages possessed by the site of the town of Vallejo over San José and other places that claimed the honor of having the State Capital. To secure the boon the General undertook to grant to the State, free of cost, twenty acres for a Capitol and grounds, with one hundred and thirty-six acres added for other State buildings, in addition to which he further proposed to donate and pay over to the State, within two years, the large sum of three hundred and seventy thousand dollars, to be

devoted to the construction of buildings and supplying them with the necessary internal arrangements. San José strove hard to retain the coveted prize. The citizens did everything in their power to pander to the wishes of the Legislators. Their pay, which was sixteen dollars per day, was received in State scrip, which was by no means at par value in the market; to propitiate them hotel-keepers and tradesmen consented to take the scrip at that valuation, a boon which caused the dislike to San José to be considerably modified; yet, that was scarcely enough *vis-a-vis* of such splendid bids as that of Vallejo. Offers consequently poured in from all sides. The citizens of San José, through James F. Reed, offered four blocks of land and one hundred and sixty lots, which were to be sold for the purpose of raising funds for building the Capitol; another bid was that of Charles White, who tendered one and one-half square miles of land, situated some three miles from the center of the city, upon the condition that the State should lay it out in lots for sale, reserving a portion sufficient for buildings, and that one-third of the sum so realized should be paid to him, and the balance to be given to the State for building purposes; a third, of two hundred acres, in close proximity to the town, was made by John Townsend, who stipulated that all buildings should be placed thereon, save the Penitentiary. Excitement ran high; the sign of the times was watched with keen eagerness, but unhappily with no avail.

Upon receipt of General Vallejo's memorial by the Senate, a committee composed of members who possessed a thorough knowledge of the country on which his remarks bore, both geographical and topographical, were directed to report for the information of the President, upon the advantages claimed for the location of the capital at the spot suggested, in preference to others. The report in which the following words occur, was presented to the Senate on April 2, 1850:—"Your committee cannot dwell with too much warmth upon the magnificent propositions contained in the memorial of General Vallejo. They breathe throughout the spirit of an enlarged mind and a sincere public benefactor, for which he deserves the thanks of his countrymen and the admiration of the world. Such a proposition looks more like the legacy of a mighty emperor to his people than the free donation of a private planter to a great State, yet poor in public finance, but soon to be among the first of the earth." The report, which was presented by Senator D. C. Broderick, of San Francisco, goes on to point out the necessities that should govern the site for California's capital, recapitulates the advantages pointed out in the memorial, and finally recommends the acceptance of General Vallejo's offer.

The acceptance did not pass the Senate without some opposition and considerable delay; however, on February 14, 1851, the Act of Removal was passed, and on May 1st of that year the Legislature held its last session in

San José, but the archives were not moved to Vallejo until considerably later.

It is not within the province of this work to follow the Seat of Government of the State further, suffice it to say that the Legislature first sat at Vallejo January 5, 1852; seven days later it was transferred to Sacramento; January 3, 1853, it once more met at Vallejo; it was removed to Benicia February 11th of the same year, where it remained for the remaining portion of the session, when a bill was passed to fix the capital of the State at Sacramento, and thereafter clinched by large appropriations for building the present magnificent Capitol there.

The capital being removed from San José the Town Council sold the State House for thirty-eight thousand dollars, which sum it was intended should be applied to the liquidation of the note referred to above. The money, it appears, was not so applied, therefore legal proceedings were instituted by Messrs. Aram, Belden and Reed, or their representatives, against the city, to obtain the foreclosure of a mortgage executed to them by the civic authorities in 1850, to secure the purchase of the property. A decree of foreclosure was obtained, the pueblo lands brought to the hammer and bought in by the Trustees of the plaintiffs, who had organized themselves into a land company, and claimed title to all the pueblo lands, a claim which was resisted to the bitter end by the pueblo authorities.

The question of the legality of the removal was brought up in 1854 before the Supreme Court, when a majority of the Justices, Heydenfelt and Wells, held that according to law San José was the capital of the State, who thereupon made the following order March 27th:—

“It is ordered that the Sheriff of Santa Clara county procure in the town of San José, and properly arrange and furnish a court-room, Clerk’s office, and consultation room, for the use of the Court. It is further ordered that the Clerk of this Court forthwith remove the records of the Court to the town of San José. It is further ordered that the Court will meet to deliver opinions at San José, on the first Monday in April, and on that day will appoint some future day of the term for the argument of cases.

“HEYDENFELT, J.

“WELLS, J.

“Attest: D. K. WOODSIDE, *Clerk*.”

A writ of mandamus on the strength of the above was issued from the Third District Court against all of the State officers, commanding that they should remove their offices to San José, or show cause why they should not do so. The argument was heard and the theory maintained that San José was the proper capital of the State, whereupon an appeal was carried to the Supreme Court. In the *interim* Justice Wells had died, his place being filled by Justice Bryant. On the appeal the Supreme Court decided that

San José was *not* the State Capital, from which decision Justice Heydenfelt dissented. Yet, notwithstanding this decree, the good people of San José have an inward feeling that they were somehow *done* out of the State Capital.

Judicial Districts.—The State was divided into Judicial Districts March 29, 1850, John H. Watson being elected Judge of the Third District, of which Santa Clara county was a portion. The first case tried in this Court was that of Clemente Pinaud *versus* Ramon Hurtado, Antonio Laman, Francisco Ballesteras and Joaquin Bennetetz, the cause of action being to obtain the foreclosure given to secure the payment of five thousand dollars, with interest at eight per cent. per month.

County Court.—On March 23, 1850, the Act entitled "An Act to Hold the First County Election," was passed by the Legislature, and April 23d, J. W. Redman and H. C. Melone organized the first County Court, as Judge and County Clerk respectively. It was further ordered by the Act above quoted that an election be held in the townships which had been created on May 4th, for two Justices of the Peace and two Constables, but, unfortunately, the records of this election are not to be traced. The names of the successful candidates are preserved, however, and we here produce them, they being the first officers of the county whose names appear as the choice of the people. For further particulars of this nature we refer the reader to the elaborate table at the end of this chapter: Justices of the Peace, H. C. Smith, H. M. T. Powell, Washington township; Davis Divine, William Daniels, San José township; John Gilroy, José Quintin Ortega, Gilroy township; Caswell Davis, Charles Clayton, Santa Clara township; G. A. Dabney, and W. G. Bowden, Redwood township. Constables, for the townships in the above order, (no choice in Washington), S. W. Daniels, V. Martinez, William Haun, and — Burton.

Almost the first record in the minutes of the Court above established is the admission to citizenship of Baptist F. Christian, on May 27, 1850. On June 1st, the above Justices of the Peace, met at San José and elected Caswell Davis and H. C. Smith Associate Justices of the County Court, and on the following day, with J. W. Redman, Presiding Judge; H. C. Melone, Clerk; John Yontz, Sheriff, commenced the proper duties of the Court of Sessions. On the 4th July, they established the rate of county licenses; on the 24th August, an adjournment was made out of respect to the memory of the late Zachary Taylor, President of the United States; and on August 27th, the following assessment was ordered to be levied: For State purposes, fifty cents per one hundred dollars, and five dollars poll-tax; and for county purposes, twenty-five cents per one hundred dollars, and two dollars and a half poll tax.

California having been admitted to the Union on September 9, 1850, and as the day fixed for holding elections was the first Wednesday in September, which fell on the fourth, no legal election could have taken place in 1851, indeed, the records show no sign of any general election having been held until the following year, still we are assured by some of the oldest inhabitants that an election did take place in 1851.

July 8, 1852, we find that John M. Murphy, late County Treasurer, filed his financial statement of the condition of the finances of the county from January 1, to April 1, 1852, which being found correct, he was ordered to be discharged from further liability. As an interesting exposition of the early accounts of the county, we subjoin a *resumé* of Mr. Murphy's statement.

Receipts and Disbursements to quarter ending March 31, 1852.—Receipts, \$3,316.42. Disbursements, \$3,693.68. Balance in favor of Treasurer, \$77.26. Receipts and Disbursements to quarter ending June 30, 1852. Receipts, \$2,975.84. Disbursements, \$2,601.74. Balance in Treasury, \$374.10. Tax Account for building purposes, three payments; in December, 1851, and February and June, 1852, into the Treasury, \$5,671.84. Paid Superintendent four installments, December, 1851, January and June, 1852, \$5,500.00. Interest, \$56.71. Balance, \$115.13. We now turn to a statement of another nature. It is always pleasant to watch the growth of a district. True, that of Santa Clara had long been peopled, and that for years the soil had been tilled, and stock reared, yet, as an example of what the county was made two years after its receiving the rights and privileges of a State, we produce the accompanying figures, ordered by the Board of Supervisors, who were now in office, to be made a matter of record. November 18, 1852, Census Returns: Number of white inhabitants, 6,158; number of white male citizens of the United States, over twenty-one years of age, 1,717; number of male citizens of the United States, 4,096; number of female citizens of the United States, 2,062; number of negroes, 53; number of negroes (male), over twenty-one years, 39; number of negroes (female), 8; number of mulattoes (male), none; number of mulattoes (female), 3; number of domesticated Indians, 450; number of domesticated Indians (male), 288; number of domesticated Indians (female), 162; number of foreign residents, 1,335; number of male foreign residents, 1,059; number of male foreign residents over twenty-one years of age, 1,081; number of female foreign residents, 276. So much for the genus *homo*. The stock and produce numbered as follows: Horses, 4,371; mules, 609; cows, 4,201; beef cattle, 16,020; work oxen, 3,546; hogs, 1,765; sheep, 3,620; goats, 117; turkeys, 110; fowls, 2,690; onions, 8,356,600; cabbages, 413,500; carrots (bushels), 11,000; beets (bushels), 21,000; grape vines, 16,800; fruit trees, 17,739; tons of hay, 1,175; number of bricks, 500,000,

bushels of barley, 415,340; of oats, 13,520; of corn, 9,645; of wheat, 122,192; of potatoes 653,700; of beans, 1,300; other produce, (pounds) 501,450; acres of land under cultivation, 19,066; amount of capital invested, \$1,152,325.

However unpleasant the task, it is the duty of all veracious historians to chronicle every fact that may come within their knowledge. Happily for all concerned the doings so handed down to posterity are mostly of a pleasant nature, but, occasionally the regrettable task is his to perpetuate instances of crime which might be better left in the dark with the perpetrator. When the case is that of malfeasance of office, then, however painful, the story should be told in its full deformity.

Ere the first month of the year 1853 had been brought to a close the entire county was startled by the intelligence that the public Treasury had been robbed. The Treasurer, William Aikenhead declared that he had been knocked down in the darkness of night, and robbed of his keys; the unexpectedness of the attack was such as to preclude the possibility of his recognizing the robber. His story of the assault was this: Hearing a noise in the rear building about eight in the evening, and not long after a step on the front porch, and his name called, he opened the door to ascertain who it was that called "so loud in the dark;" that on emerging he received the blow which laid him prostrate; that he was thereupon choked, his pockets emptied, the key of the safe taken and two of the men entering the office, helped themselves to the money, several thousand dollars, deposited in two bags one marked "State" and the other "County." That the Board of Supervisors placed full credence in Aikenhead's story the following extract from their records will show: "It appearing to the satisfaction of the Board of Supervisors, that the sum of \$1,045.15 belonging to the General Fund for the redemption of county warrants; \$115.25, belonging to the Special Fund; \$955.05, belonging to the County Building Fund; \$78.50 belonging to the Estates of deceased persons, and \$2000 due the Indian Fund, funds belonging to the County of Santa Clara and in the hands of the Treasurer, by violence and without any neglect or default of the said Treasurer, were stolen, it is ordered that said Treasurer do have in his next annual settlement with the Auditor of said county a credit and acquittance to the amount of the sum of \$2,218.95, [this foots up to \$4,193.95], and that the several accounts of the said Treasurer in the several funds above set forth be allowed the credit to the amount above set down to each of said funds respectively and the same be charged to the county.—All of which was duly reported as having been carried out by William Aikenhead. In the month of February, 1854, he suddenly was missed. On the 21st a committee of three, in company with the District Attorney, was appointed by the Board of Supervisors to examine all the books and papers of the Treasurer's office and thereafter file a report with the Clerk, the committee to be com-



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posed of J. M. Murphy, W. R. Bassham and W. L. Smith. It was ordered that upon the receipt of the report immediate notice should be given to the Board, who would, forty-eight hours thereafter, meet in session. This meeting was convened March 3d when, on motion, the report of the committee as given under was read: "To the Honorable Board of Supervisors of Santa Clara county.—The undersigned committee appointed by the Board of Supervisors of Santa Clara county to examine all the papers and books of the Treasurer's office having performed that duty respectfully report: That they diligently and carefully examined the books and papers found in the late Treasurer's office, and corrected them when found proper, and entered everything to the credit of the Treasurer for which we found the necessary vouchers, and find the cash received by him since October 1, 1852, amounts to to the sum of \$71,680 92
And payments made by him during that time. 55,614 42

Leaving a balance unaccounted for of \$16,066 50

Which amount is due to the following accounts:—

To the State of California.....	\$ 5,120 13
Building Fund.....	1,269 35
County of Santa Clara	10,021 91
Lost Property	17 50

\$16,428 89

From which sum is to be deducted:—

Overpaid Special Fund Account	\$194 74
And School Fund Account	168 60— 363 34—
	\$16,065 55

Leaving a discrepancy unfound of95

"The undersigned have been extremely careful in overhauling the books of the late Treasurer's office and in elucidation of the foregoing statement have transcribed from the Treasurer's books the aggregate debit and credit of each account as they stand in said books, as a matter of reference and herewith file the same. In pursuing an investigation of the books of the office various other matters were presented to our notice, which we deem it our duty to report. The first is, upon reference to the Auditor's office, we find the late Treasurer has received from the Collector of State and County Taxes in February instant, the sum of \$4,000 which is not credited in the books; he is therefore chargeable with that sum in addition to the balance above stated. We have also been advised by J. H. Morgan, Superintendent or Commissioner of Common Schools of Santa Clara county that he was advised by letter by Hon. Paul K. Hubbs dated January 11, 1854, that he had paid the Treasurer the sum of \$7,235.89 for benefit of common schools

of this county. We have ascertained that the late Treasurer has not entered any amount received for licenses issued since the 16th September last, and from the loose manner in which parties act after paying the Treasurer for the license (omitting to file his receipt with the Auditor of the county) renders it impracticable to ascertain the amount he is justly responsible for on that account. All of which is respectfully submitted: William L. Smith; W. R. Bassham, Jno. M. Murphy, Committee, San José, March 1, 1854." And so the matter rested for a year; then on February 13, 1855, we find the Board of Supervisors directing proceedings to be instituted against Aikenhead, or his representatives, to recover the amount due to the county, but whether the ex-Treasurer ever repented of his ways and refunded the sum due, or if his bondsmen were held liable, the official records do not divulge.

January 28, 1853, the first installment of ten thousand dollars as payment for the State House was ordered by the Board of Supervisors to be allowed to the City of San José, upon condition that the corporation execute a full release of all claims and demands against the county. The deed was presented on the following day by Thomas White, Mayor of the city, to whom was issued a certificate for the amount stated. On June 8th, H. C. Melone and John Yontz were appointed Commissioners to act in conjunction with those to be appointed by Alameda and Contra Costa counties, to ascertain the indebtedness of Alameda to each of the others. These gentlemen filed their report October 5th, when the District Attorney was instructed to make a legal demand on Alameda county for the amount owing to Santa Clara. At this time the revenue of the county was reported by Sheriff Johnson, *ex-officio* Tax Collector, to be: State, \$14,637.98; County, \$12,198.89; School, \$1,224.69; Building, \$6,099.44; Total, \$34,161.00.

Owing to the influx of persons out of health, who had succumbed to the thousand ills that flesh is heir to, at the mines and elsewhere, and who, having heard of the glories of the Santa Clara valley, had come hither to regain strength, without the visible means of support or funds to take them back to whence they came, joint action between the county and the City of San José was resolved upon January 16, 1854, which resulted in the presentation of a petition to the Legislature asking that the sum of seventeen thousand four hundred and forty dollars be appropriated for the relief of the indigent sick in the county; the petition was unsuccessful, however, and "the halt, the lame, and the blind," were the recipients of the local public bounty.

November 6, 1855, the Sheriff was authorized to take charge of vagrants, and employ them in any manner that he should see fit, either in working in the Court House yard, or hiring them out by the day. We cannot help thinking that if such a rule obtained now it would go a great way towards abating the daily increasing nuisance of wandering tramps, and in a measure exercise a considerable influence upon checking crime.

In the year 1859, the Santa Clara Valley Agricultural Society was formed; on August 3d, on the application of H. C. Melone and Coleman Younger a donation of five hundred dollars was granted to it from the Current Expense Fund, and September 10, 1860, the Supervisors gave the use of the court-room in which the society might hold its first annual fair.

We now arrive at the year 1860, the first decade of American government. Let us see what the Treasurer's statement has to say in regard to the public exchequer. On February 1st the Current Expense Fund amounted to \$11,966.85; the Funded Debt Fund to \$8,508.20; Hospital Fund, \$470.57; Road Fund, \$1,086.13; Estray Fund, \$36.75, and School District Fund, \$1,563.75. March 5th, the taxes for the year were fixed at: For State purposes, sixty cents on each one hundred dollars; for County purposes, Current Expense Fund, forty-five cents on each one hundred dollars worth of property; Funded Debt and Interest Fund, twenty-eight cents; Hospital Fund, twelve cents; School Fund, ten cents; and Road Fund, five cents on each one hundred dollars; also a Road Tax of four dollars on each able-bodied citizen of the county under fifty and over twenty-one years, who is not a resident of an incorporated city. June 16, 1860, we find that a special election was ordered to be held July 10th, to submit the question of subscribing two hundred thousand dollars to the capital stock of the San Francisco and San José Railroad Company. In this matter and of all other railways in the county the Board of Supervisors have ever been fully alive to the advantages to be derived from such arteries of traffic, and have always done their utmost to further any scheme which would benefit the county.

July 25, 1861, the San José and Alviso Turnpike Company were granted the right of way over the whole length of the public road leading from the intersection of First street, on the northern limits of the City of San José to the town of Alviso, for a term of twenty-one years from date. It would appear as if a military company had been formed in the county about this time, to be succeeded by others, for the following entries are duly made in the Supervisorial records: November 6, 1861, the leasing of a room in Maclay's block to the county as an armory for the "Santa Clara Light Infantry," who had complied with the militia laws of the State was sanctioned; another appropriation was made for a like purpose, in the case of the "Union Guard of San José," on November 7th, while exactly two years later an allowance was made for the "Santa Clara Zouaves."

In the year 1862 the following amendments to the Constitution were proposed:—

Article IV. of the Constitution to be so amended as to provide for sessions of the Legislature every two years, instead of every year as was then the custom. This would, of course, have necessitated the extension of the terms of office—of the Senators to four, and of the Representatives to two years.

No officer, however, was to be superseded by the action of this amendment. It was intended that the other provisions of this article should remain intact.

Article V. to be so amended as to increase the terms of office of the Governor, Lieutenant Governor, Controller, Treasurer, Attorney General, and Surveyor General to four years instead of two. The Secretary of State to be elected by the people instead of being appointed by the Governor, by and with the consent of the Senate.

Article VI. to remodel the judiciary system. The Supreme Court to consist of five members instead of three. The election of Justices of the Supreme Court to be separated from the election of other officers. These to hold office for the term of ten years. The number of District Judges to be reduced to fourteen. The jurisdiction of the latter to be limited to cases involving over three hundred dollars. The jurisdiction of Justices of the Peace to be increased to that amount.

Article XI. The term of the Superintendent of Instruction to be increased to four years. But there is no record of what the vote was on the occasion.

December 18, 1862, we find that a right of way was granted to the "Santa Cruz Gap Turnpike Joint Stock Company," over the portion of the public road commencing at the creek near the toll-gate and extending to the foot of the mountain where the company's said road begins.

May 9, 1863, directions were given for the establishment of a pound in San José township, at the residence of Thomas Blake, near the Seven-mile House. Mr. Blake being appointed pound-master; and on the inauguration of a Teachers' Institute, a yearly appropriation for its benefit was ordered July 6th.

In accordance with the Act "to redistrict the County of Santa Clara and to provide for the election of Supervisors, approved January 21, 1864," the Board of Supervisors was, March 7, 1864, organized and ballots cast for terms of service as follows: J. H. Quimby, Supervisor at large, President of the Board; Chapman Yates and L. Robinson, Districts 1 and 2, to serve two years, and F. Sleeper and J. A. Perkins, Districts 3 and 4, to serve four years. May 3d, the incorporation of the town of Santa Clara was authorized in accordance with the terms of a petition of the inhabitants thereof. A plan of the incorporated limits will be found on reference to page 142, book C, of the Records of the Board of Supervisors. It would appear, however, that some informality attended the petition and subsequent authority for incorporation, for, May 30, 1865, another entry authorizes the re-incorporation of the town, the plan for which will be found on page 250 of the same book.

February 10, 1866, the Board directed that a public meeting, of the citizens of Santa Clara county be called to take into consideration the expe-

diency of adopting ways and means to secure legislative action for the location of the Mechanical, Agricultural and Mining College in the county; while, May 8th, the County Surveyor was directed to make necessary arrangements to establish a standard of measurement for the county.

Once more we regret to record the robbery of the County Treasury. April 25, 1867, the office of Treasurer was declared vacant, owing to the absconding and defalcations of Abijah McCall. A committee was at once appointed to examine the books of the office, and a reward, for his apprehension, of one thousand dollars offered, which was paid to Sheriff Adams, May 20th, for effecting his arrest. On August 10th, the committee reported the defalcations to amount to the large sum of twenty-three thousand seven hundred and sixty-two dollars and forty-one cents.

Again incorporation was sought by one of the rising towns in the county; February 18, 1868, it was directed that the petition praying for the incorporation of the town of Gilroy should be submitted to the electors of the township. The map of the proposed incorporated limits will be found on page 704, of book C, Records of the Board of Supervisors. June 9th, the first mention of street cars is found. This subject will be found fully treated on elsewhere. August 22d, the application of the San José Water Company to lay pipes along the public highways of the county was granted, while, in November, measures against the spread of small-pox, which had made its appearance, were ordered to be taken, these directions being communicated to the different townships, December 15th, of the same year.

The only item of importance found in the records, in the year 1869, is the following resolution adopted, August 17th, on the death of Louis Prevost, a prominent resident of the county:—

“WHEREAS, Louis Prevost, a citizen of this county, has, in the providence of the Lord, been removed from us by death, and whereas this county and the whole State of California has lost one of its best and most enterprising and energetic public-spirited citizens—a loss that will deeply be felt in this community, therefore,

“*Resolved*, That this Board now in session will adjourn in respect to his memory, and that they will attend the funeral of the deceased in a body, and that this resolution be spread upon the minutes of this Board. In accordance with which the Board adjourns to meet, Monday, August 23, 1869.

“JOHN COOK, *Chairman, Board of Supervisors.*”

With the purpose of carrying out our principle of placing before our readers a statement at the end of each decade showing the increase of taxation laid upon the county, the following, ordered April 2, 1870, may prove interesting: For State purposes: An *ad valorem* tax of eighty-six and one-half cents; For County purposes: Current Expenses, seventy cents; Road Fund, thirty

cents; School Fund, twenty-five cents; Infirmary Fund, ten cents; Western Pacific Railroad Fund, nine cents; San Francisco and San José Railroad Fund, six cents; and Squirrels' and Gophers' Fund, one cent. In this year the building of the State Normal School was commenced.

For the next two years nothing of official importance, to the county as a whole, occurred. A seal, with appropriate design, as may be seen on page 612, of Book D, was adopted by the Board of Supervisors, nor have we anything to record until June 16, 1873, when it was ordered by the Board that bonds of the county to the amount of one hundred and twenty thousand dollars be issued (in conformity with the Act entitled "An Act providing for the refunding of the bonded indebtedness of Santa Clara County, approved on April 1, 1872,) for the sums of five hundred dollars each payable on or before January 1, 1885, and to bear interest at the rate of eight per cent. per annum." On July 18, 1873, bids for said bonds were received and accepted. October 6th, it was on motion unanimously ordered that the Clerk do advertise for sealed proposals for bids for bonds to the amount of seventy-seven thousand five hundred dollars, which were received and accepted November 3d, with this proviso, that payment should be made partly in cash and part in exchange of bonds where such purchaser held county scrip. Once more we find under date May 7, 1877, that the Board of Supervisors directed that county bonds to the amount of ninety-six thousand dollars, in accordance with the Act of March 27, 1876, be issued for the sum of five hundred dollars each, and bearing interest at the rate of seven per cent. per annum, and that the scrip for such be delivered to Sutro & Co., the purchasers of the whole amount. Finally it was directed that the bill prepared by the Finance Committee to issue bonds of this county to fund the warrants on the General Road Fund now in the hands of the Lick Trustees, be recommended for passage, a step that was taken consequent on the bequest of a certain sum by James Lick, for placing an observatory on the summit of Mount Hamilton under certain conditions.

March 4, 1874, the Board placed their construction of the allowance of mileage to the Sheriff and Constable, when proceeding to serve any process in criminal cases, or for removing a prisoner from jail to appear before a court, to be when *going only*. Active firemen were, April 7th, declared exempt from poll-tax, in accordance with the Act of the Legislature passed March 28, 1874, while on July 11th, the following Game Laws were ordered to be promulgated: *First*—every person, who, in this county, between the fifteenth day of March and the fifteenth day of September in each year, takes, kills or destroys any quail, partridges or grouse, is guilty of a misdemeanor. *Second*—Every person, who, in this county, between the first day of January and the first day of July in each year, takes, kills or destroys any elk, deer or antelope, is guilty of a misdemeanor. *Third*—Every person

who, in this county, at any time shall take, catch, kill, chase, pursue or destroy the male or female of any deer, with or by the help of any hounds or dogs of any species, shall be guilty of a misdemeanor. *Fourth*—Every person who, in this county, between the fifteenth day of October in each year and the first day of April in the following year, takes or catches any trout, is guilty of a misdemeanor. *Fifth*—Every person who takes, catches or kills any trout, by the use of nets, wires, baskets, traps, drug or any explosive agent, shall be guilty of a misdemeanor. Order No. 2, dated August 4, 1874, reads: *First*—Every person, who, shall at any time, in Santa Clara county, in any year, catch or take any quail by means of any trap or traps, snares, dead-falls or nets, shall be guilty of a misdemeanor. *Second*—Every person or persons who shall, in the County of Santa Clara, have in their possession any quail taken by means of any trap or traps, snares, dead-falls or nets, shall be guilty of a misdemeanor. *Third*—Every person or persons who shall, knowingly, have in their possession, in this county, any venison, deer or skins or pelts of any deer taken, caught or killed, between the first day of January and the first day of July of each year, shall be deemed guilty of a misdemeanor. *Fourth*—Every person or persons who shall, in this county, between the first day of January and the first day of July of any year, catch, kill or shall have in his or their possession any doves, shall be guilty of a misdemeanor. On September 10th, Order No. 2 was amended by the striking out of the words "trap or traps" wherever they occurred. On July 24, 1876, the following section was ordered to be appended: *Fifth*—For the better protection of game and fish, in this county, the sum of fifty dollars reward will be paid to any person giving such information as shall lead to the conviction of any person guilty of the violation of any of the regulations made by the Board of Supervisors of Santa Clara county, for the protection of game and fish, in the County of Santa Clara, State of California. April 3, 1878, Section *Four* was amended to read:—Every person who, in this county, takes, catches or kills any trout by the use of nets, weir-baskets, traps, drugs or any explosive agent, shall be guilty of a misdemeanor. Too much credit cannot be given to the Supervisors for this humane law. Where pot-hunters are plentiful, provision should be made against their carrying on an exterminating war on game. A true sportsman is as thoughtful of his prey as he is of himself, it is only the cruel and unsportsmanlike that kill for killing's sake.

July 18, 1874, the county physicians were instructed to vaccinate all parties who should apply, and charge the county for so doing when the fee shall not exceed fifty cents, the names of persons so vaccinated to be returned to the Board.

We find under date March 2, 1875, that a tax of one dollar per head on all dogs in the county was ordered to be levied, in accordance with Section

4046, paragraph 23 of the Political Code, and that the taxes so collected would be apportioned to the School Fund. Later in the year another tax was mooted, as will be gathered from the accompanying *resumé* of the minutes, July 8, 1875, a move was made in the shape of a petition from the Independent Order of Good Templars to raise the license tax for the sale of liquors by retail, and to prevent the sale in premises where other goods were sold, was dismissed by the Board of Supervisors on the ground that they had no jurisdiction. During the remainder of the year, 1875, nothing further of moment transpired except the action taken preliminary to the acceptance of the Lick Observatory, a history of which in a connected form will be found in these pages.

In June, 1876, the request for assistance from the Ladies' Benevolent Society of San José for maintaining an Orphan Asylum in that city was granted; and on the 5th of the same month the *fiat* went forth that no remuneration would be allowed to officers, except the Sheriff, for work performed on the Sabbath Day. August 9, 1877, permission was granted to "The Bar Association of San José" to meet every Tuesday evening in the court-room, while, December 4th, the rather startling proposition of E. J. Muybridge to photograph the records, instead of having them recopied by hand, was favorably considered by the Board.

Early in the year 1878, January 8th, a resolution was introduced by Supervisor Rogers, to the effect that the Member of Assembly from Santa Clara county be requested to procure the passage of a law authorizing the Board of Supervisors to advertise for proposals to let out such county roads for which there is no adequate fund wherewith to keep them in repair, to the lowest bidder proposing to keep such in condition for the least amount of toll, or, that the Board of Supervisors may do so upon being petitioned by the people living in the vicinity of such road. And now comes a very necessary order, which should effectually put a stop to the voracity of those "clothed with a little brief authority." It was directed, May 8th of the same year, that "the practice of hunting up trivial cases of misdemeanors, or slight infractions of the law by some Justices of the Peace and Constables in the county, and issuing papers whereby the county is put to great expense and no good results obtained, is condemned in the strongest terms by this Board as an outrage upon the tax-payers of the county. It is the opinion of this Board that the Justices should in all such cases render judgment against the parties moving such actions for all costs incurred; and it is further ordered that no claims against the county for services of this character shall be allowed by this Board."

We now come to the greatest political act of late years, namely, the order for a new Constitution, and its passage by an immense majority throughout the State.

It was found that the provisions in regard to taxation and property were of too vague a nature to be allowed to hold at this period of progress. At the time when the old Constitution was framed at Monterey, it was never contemplated that the State would be ever anything but a purely mining country; and as each mining section had its own local laws, more distinct terms in regard to what was legally meant by property and taxable property were not thought to be necessary. At last a day came when a decision of the Supreme Court ruled that credits are not property in the sense in which the word property is used in Section 13 of Article XI. of the Constitution, and cannot be assessed for taxes, or taxed as property, even if secured by mortgage. (The People vs. Hibernian Bank, Cal. Reports, 51.) The popular voice became clamorous on this decision for a change of rule; and though having been before mooted, and successfully balked by former sessions of the Legislature, an Act to provide for a convention to frame a new Constitution for the State of California was approved March 30, 1878; and by a proclamation of the Governor an election throughout the State was ordered to be held June 19, 1878, for the purpose of electing delegates to a Constitutional Convention, to meet at Sacramento on September 28th. Thirty-two delegates were to be elected by the State at large, of whom not more than eight should be residents of any one Congressional district. The Convention duly met at the State Capital, and after much labor framed the New Constitution. The election for the adoption or rejection caused a deep-seated feeling throughout the length and breadth of our land, and for months the country was in a perfect ferment; at last the 7th of May arrived; the following morning the news was flashed from west to east and south to north of the adoption of California's new organic law. The votes in Santa Clara county, under this head, were: September 5, 1877—For Constitutional Convention, 1,212; against holding such, 1,210. June 19, 1878—For Delegates to Constitutional Convention, T. H. Laine (Non-partisan and Young Men), 2,186; R. McComas (Non-partisan and Young Men), 2,183; E. O. Smith (Non-partisan and Young Men), 2,238; A. Greeninger (Non-partisan), 1,647; J. G. Kennedy (Young Men), 771; J. E. Clark (Workingmen), 1,635; J. Carrick (Workingmen), 1,627; D. W. Herrington (Workingmen and Young Men), 1,949; J. A. Moultrie (Workingmen), 1,563; H. W. Kelly (Workingmen), 1,591; C. VanBuren (Independent), 66; Jacob Hanna (Independent), 47; Filmore, 17. The total vote cast in the county was 3,821. Of the above Messrs. Laine, McComas, Smith, Herrington, and Weller served. P. B. Tully was elected delegate at large. May 7, 1879—For the New Constitution, 2,500; against the New Constitution, 3,261; majority in Santa Clara county against the New Constitution, 761.

Let us now resume the thread of our excerpts from the Record Books. July 8, 1878, an order was made in reference to applications from boys

wishing to be admitted to the training ship *Jamestown*, the first to make such being Frank Marmolejo. September 4th, steps were taken to prevent the spread of glanders, which fatal disease had made its appearance among the horses in the county; and on November 5th, directions were given for the construction of a jail in Los Gatos.

The new year, 1879, appropriately opens with the following tribute to the county officers, at the hands of H. Philip, who was appointed by the Finance Committee of the Supervisors as expert to examine into the official affairs of the different departments, in accordance with an order of the Board dated October 9, 1878:—

"To the Honorable Board of Supervisors of Santa Clara County—

"Gentlemen: At your request I have examined and compared the several accounts of the officers of Santa Clara county, as appears by their books and reported by them to the County Auditor, and by him attested, and find them in due form and correct, the proceeds thereof paid into the county treasury, and the several amounts receipted for by the Treasurer, as the law directs. The yearly 'deficit' in the salary fund account is more apparent than real, as much work is done by the several officials without charge to the county, more than enough to make good the amount required from the Current Expense Fund to meet the deficiency. I also find the books kept in the plainest manner, and subject to the inspection of all whom it may concern, making the present investigation an easy and pleasant task. And I feel it but justice to state, as the result of this investigation, that the citizens of Santa Clara county may rest assured that their interests are honestly administered by their chosen agents now occupying official position in this county; and it is my pleasure to return thanks to the several officials and their deputies for kindly aid in the discharge of these duties.

"Yours truly,

HENRY PHILIP.

"San José, December 14, 1878."

The taxes on completion of the third decade were established October 6, 1879, and are as follows: For State purposes, an *ad valorem* tax of sixty-two and one-half cents; for School Fund, fourteen cents; Infirmary Fund, ten cents; Road Fund, twenty-seven and one-half cents; Current Expenses Fund, twenty cents; Western Pacific Railway Interest Fund, three and one-half cents; Redemption Fund October-April 1, 1872, eight cents; Redemption Fund, March 27, 1876, four and one-half cents.

Conventions.—The first record of a nominating convention that we have been able to trace is that of the Democratic party, which met at the Methodist church, August 6, 1853, under the Presidency of Dr. A. J. Spencer, with John M. Murphy and Samuel Morrison, Secretaries. In 1854, the Democratic convention convened at the office of the Mayor, July 1st, Chairman,

Thomas J. West; Secretary, P. K. Woodside. The Whig convention held their meeting at the Methodist Episcopal church, on July 15th, the Chairman being Coleman Younger, and Secretary, Frederic Hall, the author of "The History of San José." In 1855, the American or Know-nothing party held no convention, but nominated its candidates by primary. The Democratic convention met at the City Hall, August 4th, John M. Lent in the Chair, and L. C. Everett, Secretary. 1856, Democratic convention met at the City Hall, October 2d, under the Presidency of L. Archer; and that of the Republican convened at the same place, October 8th, when the Republican party was organized in Santa Clara county, the Chairman on the occasion being J. H. Morgan; Vice-Presidents, M. Sawyer and A. C. Erkson; Secretaries, C. G. Thomas and R. Hutchinson. In 1857, again the Republicans met at the City Hall, August 8th, Chairman, A. James Jackson; Secretary, Isaac Foster. The Democratic convention convened at the City Hall on June 25th, William H. Lent, Chairman; Secretary, S. O. Houghton. In 1858, the Democratic convention was held July 3d, the Chairman being W. B. Thomburg; Secretary, J. A. Owen. The Anti-Lecompton convention (Douglas-Democrat) held at the City Hall, July 31st, Chairman, William M. Lent; Secretary, Freeman Gates. The Republicans met at the City Hall, August 1st. During the campaign the American and Republican parties fused. In 1859, the Republican convention met July 23d, Chairman, A. C. Erkson; Secretary, Dwight Burnett; and the Democratic at the City Hall June 15th, Chairman, William Daniels; Secretary, G. George. In 1860, August 16th, the Democrats met in the City Hall, under the Chairmanship of Mayor Bradley, with J. W. Owen, Secretary; while the Republicans held at the same place June 16th, Davis Divine, Chairman, and R. Hutchinson, Secretary. In 1861, the Democratic convention (Douglas-Democrat) met June 15th, but the names of their officers are not recorded. The Republicans held at the City Hall, August 13th, Chairman, Charles Maclay; Secretary, J. M. Seidell; while the Democrats met in San José the 15th June, with Charles E. Allen, Chairman, and J. V. Tisdall, Secretary. In 1862, the Union county convention met in San José June 14th; Chairman, C. P. Hester; Secretary, Tyler Beach. In 1863, June 14th, the Republican county convention met in San José under the Presidency of Davis Divine, with J. J. Owen as Secretary; while the Democratic county convention convened at the City Hall, June 27th, Chairman, Captain Simonds; Secretary, James R. Lowe, Jr. In 1864, the Union county convention met at the City Hall, August 13th; Chairman, Charles Maclay; Secretary, J. M. Seidell. In 1865, August 8th, the Republicans convened at the City Hall, with J. A. Quimby in the Chair, and Charles Fergusson, Secretary; and the Independents at the same place on the 12th of the month, Chairman, John Cook; Secretary, William Hester. For 1866 there is no record. In 1867, the Republican convention met in the

City Hall, July 22d, Chairman, J. G. Barney; Secretary, Charles Silent; while the convention of the Democrats came together July 27th, at the City Hall, with W. Z. Angney in the Chair, and Joseph R. Johnson, Secretary. In 1868, the two parties met at the City Hall on April 25th and August 1st respectively, the Democrats being under the Presidency of W. W. McCoy, with John M. Keith, Secretary; and for the Republicans, S. O. Houghton and E. A. Clark filling the like offices. In 1869, the Republicans nominated county officers by primaries held June 26th; while the Democratic convention met at the City Hall, July 27th, Chairman, N. B. Edwards; Secretary, Z. W. Christopher. There is no record for 1870. In 1871, the Democratic convention held at the Opera House in San José, July 15th, Chairman, John M. Murphy; Secretaries, L. B. Fine and E. Rayner; and the Republicans in the same building, June 26th, under the Chairmanship of H. W. Briggs, and T. C. Winchell and W. H. Clipperton, Secretaries. In 1872, the Republican convention held at the Opera House, April 13th, and the Democratic on June 17th, Chairman, T. C. Bodley; Secretary, E. Rayner. In 1873 the Democratic convention met in the Opera House, August 7th, under the Presidency of A. H. Parker; Secretaries, John M. Littlefield and J. V. Tisdall; the Republicans, July 26th, W. W. Hoover in the Chair, Edgar Pomeroy, Secretary; and the Independents, August 9th, Chairman, C. P. Hester; Alexander P. Murgotten, Secretary. No record in 1874. In 1875 the Convention of the Democratic party convened June 26th, in the Music Hall, William A. January, Chairman; Secretary, W. B. Hardy; the Republicans at Central Hall, July 3d, under the Presidency of William Erkson; Secretary, D. C. Bailey, when a county ticket only was nominated. They then adjourned until August 4th, to nominate candidates for the Senate and Assembly. The Independent convention met this year, July 31st, at the Opera House, with Davis Divine in the Chair, and Billy Kiddy and Thomas Oakes, Secretaries. In 1876, Republican convention met at the Opera House, April 22d; Chairman, A. B. Rowley; Secretary, D. C. Vestal; and the Democrats at the same place, May 20th, under the Chairmanship of L. Archer, and J. V. Tisdall, Secretary. In 1877, the two great parties met at the Music Hall on July 21st and 24th, respectively, the Democrats being under the Presidency of J. G. Kennedy, and F. H. Nicholson, Secretary; the Republicans having W. H. Rogers in the chair, with W. W. Hoover, Secretary. In 1878 no Republican convention was held. The Non-partisans nominated their candidates by petition, and the Workingmen's candidates were selected by the clubs.

County Vote.—We now purpose laying before the reader in consecutive form the Presidential and total vote of the county since the year 1852: In that year the poll was for Pierce and King (Democratic), 829; Scott and Graham (Whig), 782. Total vote 1,611.—1853, total vote, 1,794.—1854

total vote, 1,879.—1855, total vote, 2,129.—1856, Presidential vote Buchanan and Breckinridge (Democratic), 809; Fremont and Dayton (Republican), 576; Bell and Everett (American), 673. Total vote, 2064.—1857, total vote, 2,289.—1858, total vote, 1,717.—1859, total vote, 2,458.—1860, Presidential vote, Douglas and Johnson, 881; Lincoln and Hamlin, 1,465; Breckinridge and Lane, 722; Bell and Everett, 110. Total vote, 3,202.—1861, total vote, 3,447.—1862, total vote, 3,173.—1863, total vote, 3,559.—1864, Presidential vote, Lincoln and Johnson, 1,930; McClellan and Pendleton, 1,202. Total vote, 3,132.—1865, total vote, 1,886.—1867, total vote, 3,878.—1868, Presidential vote, Grant and Colfax, 2,307; Seymour and Blair, 2,330. Total vote, 4,637.—1869, total vote, 4,082.—1871, total vote, 5,217.—1872, Presidential vote, Grant and Wilson, 2,219; Greeley and Brown, 1,670. Total vote, 3,895.—1873, total vote, 4,207.—1875, total vote, 5,084.—1876, Presidential vote, Hays and Wheeler, 3,336; Tilden and Hendricks, 3,065; Peter Cooper, 1. Total vote, 6,402.—1877, total vote, 5,827.—1878, total vote, 3,821. 1879, total vote, 6045.—1880, Presidential vote, for Garfield (Republican), 3116; Hancock (Democratic), 2820; Weaver (Greenback), 107. Total vote 6041.

For further particulars under this head, the most full information will be gleaned from the exhaustive table at the conclusion of this work, the whole of which, as well as other matter in regard to convention meetings and electoral votes, has been collected from a "Hand-book of Political Statistics of Santa Clara County," by H. S. Foote, by whose kindness we are enabled to give these matters in detail.



MEXICAN GRANTS.

RANCHO RINCOÑADA DEL ARROYO DE FRANCISQUITO—RANCHO LAS UVAS—RANCHO LA POLKA—
 RANCHO SAN FRANCISQUITO—RANCHO SAN ANTONIO—RANCHO RINCOÑADA DE LOS GATOS—
 RANCHO LOS COCHES—RANCHO LA PURISIMA CONCEPCION—RANCHO SOLIS—RANCHO LAS
 ANIMAS—RANCHO SANTA TERESA—RANCHO QUITO—RANCHO LOS CAPITANCILLOS—JAMES
 ENRIGHT'S CLAIM—MARY S. BENNETT'S CLAIM—RANCHO CAÑADA DE CORTE MADERA—
 SANTA CLARA ORCHARD—LIST OF LAND CLAIMS.

IN glancing at the heading of this chapter, we must ask the reader not to indulge in the vain hope that a full history of the grants comprised within the confines of what is known as Santa Clara county will be found; such, indeed, would be beyond the limits of this work, even had we at hand the infinity of resources to be found in the hundreds of cases which have arisen out of them. Our compilation must, of necessity, be accepted in its crude form. We have striven to our utmost capacity to produce some information which would combine both usefulness and accuracy, and to this end have relied on the "Reports of Land Cases Determined in the United States District Court for the Northern District of California, June Term, 1853, to June Term, 1858, Inclusive, by Ogden Hoffman, District Judge"—a work which is now nearly out of print.

The first case having interest to the citizens of Santa Clara county is:—

MARIA ANTONIA MESA, *claiming the Rancho Rincoñada del Arroyo de San Francisquito, Appellant*, vs. THE UNITED STATES.

The objection by the Board to the confirmation of this claim obviated by the additional testimony taken in this Court.

Claim for about half a league of land in Santa Clara county, rejected by the Board, and appealed by the claimant.

This case has been submitted to the Court without argument; we are referred, however, by the District Attorney, to the opinion of the Board of Commissioners for a statement of the objections to the validity of the claim, on which he relies. The ground on which the claim was rejected by the Board was, that there was no description of the granted land, either in the grant itself, or the map which accompanies it, sufficient to designate it and effect its segregation from the public domain, or rather from the adjoining mission lands, out of which it was to be taken. The land is described in the grant as the land known as the Rincoñada del Arroyo de San Francisquito, and bordering on the land of the Pulgas, belonging to Doña Soledad Ortega, and on the land of the establishment of Santa Clara. By

reference to the map, the course of the Arroyo San Francisquito, which is the southern boundary of the Pulgas land, appears clearly laid down. The northern boundary of the land intended to be granted is thus ascertained, but the claim was rejected by the Board because "there are no other indications or lines on the map to show the size, the shape, or the location of the tract," the only information conveyed by the map being that the land starts from somewhere on that creek, but on what portion of it, or to what extent, does not appear.

It is unnecessary to inquire how far the legal principle upon which the decision of the Board is founded is affected by the case of *Fremont vs. The United States*.

From additional testimony of Aaron Van Dorn, taken in this court, it appears that as a Deputy United States Surveyor, he has surveyed the adjoining ranchos, and is acquainted with the surrounding country, and that there is no difficulty whatever in locating the land by means of the calls in the grant and the map. This witness testifies that the principal objects mentioned for boundaries are natural objects, well known and defined; that those objects exist to the witness' own knowledge, and that while making a survey of the adjoining ranchos, a certified copy of the map in this case constituted a part of his instructions from the Surveyor-General. The objection therefore raised by the Board to the claim would seem to be entirely obviated by this testimony. In confirmation of this evidence, it may be observed that the tract of land solicited appears from the documents in the *expediente* to have been well known to the Governor, and by those officers whom he directed to report upon the application.

The petition asks for a piece of land adjacent to the lower part of San Francisquito creek on the south, the situation of which forms a corner, as will appear by the map; said location is bordering on the Pulgas rancho, and its extent is probably half a square league. The petitioner further states that about two years before, he had obtained permission to occupy this land from the *administrador* of Santa Clara. The officers to whom reference for information is had, report that the land solicited is known to belong to the mission of Santa Clara, and that, as the map shows, part of it belongs to the widow Soledad Ortega.

José Estrada reports that the land on which the house is situated belongs to the heirs of Don Luis Arguello, and on the land in the direction of Santa Clara, on this side of the San Francisquito, the cattle and horses of the ex-mission pastured, and that is the only watering-place on said location.

The Prefect to whom the Governor refers the whole matter, reports that the house, which, according to the map, stands on the land belonging to the widow Soledad, has been moved, as he is informed by the petitioner, and

that the cattle of the ex-mission have enough land above what the petitioner solicits.

We think it evident from the general tenor of these reports that the Governor and the officers must have had a clear and a definite idea of the situation and extent of the land intended to be granted, and when in addition we have the direct testimony of a Deputy United States Surveyor that the land can, by means of the map and the calls on the grant, be readily located, we think that no ground remains for the rejection of this claim for want of definiteness. No other objection is mentioned by the Commissioners. The genuineness of the grant is not disputed, and the grantee appears to have fully complied with the conditions. A decree of confirmation must, therefore, be entered.

THE UNITED STATES *Appellants*, vs. BERNARD MURPHY, *claiming the Rancho Las Uvas*.

No objection urged to the confirmation of this claim.

Claim for three leagues of land in Santa Clara county confirmed by the Board, and appealed by the United States.

This case has been submitted without argument on the part of the appellants; nor has any reason for reversing the decree of the Board been suggested to us.

On looking over the record, it appears that the genuineness of the original grant was fully established, and, indeed, does not seem to be controverted now. The evidence discloses a substantial compliance with the conditions of the grant, and the boundaries of the land are distinctly indicated by natural objects. The land thus bounded has been found, on a survey, to contain less than the quantity called for in the grant. We are unable to discover any reason for refusing to confirm the decree of the Commissioners. A decree to that effect must therefore be entered.

THE UNITED STATES, *Appellants*, vs. BERNARD MURPHY, *claiming the Rancho La Polka*.

The validity of this claim fully established.

Claim for one league of land in Santa Clara county, confirmed by the Board, and appealed by the United States.

It is unnecessary in this case to recapitulate the facts, which are fully stated in the opinion of the Board of Commissioners. The genuineness of the grant, and the residence of the grantee and his children on the land for more than twenty years, are fully established. The only difficulty in the case is obviated by the form of decree entered by the Board, and which is now prayed may be affirmed by this Court. No objections have been raised on the part of the appellants, and none have been discovered by us. A decree as prayed for must be entered.



J. P. Sargent

THE UNITED STATES, *Appellants*, vs. MARIA CONCEPCION VALENCIA DE RODRIGUEZ, *et al.*, claiming the *Rancho San Francisquito*.

No objection to this claim made by the United States.

Claim for three-fourths of one league of land in Santa Clara county, confirmed by the Board, and appealed by the United States.

The grant in this case was made May 1, 1839, by Governor Alvarado to Antonio Buelna, the husband of the claimant. Buelna, after obtaining his grant, appears by the proofs to have occupied and cultivated his land and continued to live there with his family until his decease. The present claimant, his widow, seems to be his sole heir.

The genuineness of the grant seems to be fully proved, and the Board has confirmed the claim according to a judicial measurement, which, on a resurvey, has been found to include less than the quantity mentioned in the grant. We think the decree of the Board should be affirmed.

WILLIAM A. DANA, *et al.*, claiming part of the *Rancho San Antonio*, *Appellants*, vs. THE UNITED STATES.

Objections removed by further testimony taken in this Court.

Claim for about six thousand acres of land in Santa Clara county, rejected by the Board, and appealed by the claimants.

The claimants in this case derive their title from a grant made by Governor Alvarado, March 26, 1839, and confirmed by the Departmental Assembly, May 26, 1840. The nonproduction of the original grant is accounted for by the depositions of various witnesses taken in case number two hundred and seventy-five, and by stipulation made evidence in this case; and a copy has been introduced, duly certified by Manuel Jimeno and two assisting witnesses, as true and legal, from the original *expediente* in the office of the Secretary. A certificate signed by Manuel Micheltorena, Governor, and M. Jimeno, Secretary, dated October 12, 1843, is also produced, from which it appears that the grant was confirmed by the Departmental Assembly May 26, 1841. It also directs that this certificate be delivered to the interested party in confirmation of his grant. A copy of the *expediente* from the archives is also produced, containing the original petition and *diseño* of the land solicited, and the subsequent proceedings thereon, including the degree of concession, the approval of the Departmental Assembly, the Governor's certificate in confirmation of the grant, and a copy of the title delivered to the grantee.

The authenticity and genuineness of these documents are fully established by proof.

The conditions of the grant appear to have been fully complied with, and the description in the grant, and the delineation of the tract on the *diseño* identify the land with sufficient certainty. The claim in this case was rejected by the Board of Commissioners for defect in the chain of mesne con-

veyances, through which the claimants derive their title. Those defects have since been supplied, and the title of the claimants seem to be regularly deduced from the original grantee. With respect to the original grant there seems to be no controversy. Its validity was not doubted by the Board, and it has been confirmed in another case now before this Court. But the claim in the present case is for a certain part of the tract originally granted, which is alleged to have been sold after the decease of the grantee, by his executor to pay his debts. A deed from the heirs of the grantee is also produced, conveying to the purchaser the same land bought by him at the sale by the executor.

The present claimants have thus shown a *prima facie* right to the land petitioned for, and as it is clear that the United States have no rights in the land as part of the public domain, we consider it our duty to confirm this claim and to leave the parties to litigate between themselves any questions which may arise as to the validity of the executor's sale or the conveyance by the heirs of the original grantee. The decree of this Court can have no effect upon the conflicting rights of third parties, and merely determines the validity of the claim as against the United States. The elaborate and conclusive argument of Mr. Commissioner Thornton, on the right of contesting claimants to intervene in a suit before the Board, relieves us from the necessity of discussing the question involved in this case, especially as no opposition is made to the confirmation of this claim on the part of any persons holding adverse titles to the land. The claim must therefore be confirmed to so much of the land petitioned for as is contained within the boundaries of the tract granted to Prado Mesa.

THE UNITED STATES, *Appellants*, vs. SEBASTIAN PERALTA *et al.*, *claiming the Rancho Rincoñada de los Gatos.*

The validity of this claim fully established.

Claim for one league and a half of land in Santa Clara county, confirmed by the Board, and appealed by the United States.

The grant under which this claim is made was issued by Governor Alvarado May 20, 1840. The original title is produced, and the signatures fully proved, and also a certificate of approval by the Departmental Assembly. The land seems to have been occupied prior to the grant, and a house was built in which the parties have ever since continued to reside.

The land granted is described as the "Rincoñada de los Gatos," and the third condition limits the quantity to one league and a half, as shown on the map. On recurring to the map, we find the tract solicited indicated with tolerable precision, and sufficiently so to enable a surveyor to locate it without difficulty. The claim was confirmed by the Board, and we think their decision should be affirmed.

THE UNITED STATES, *Appellants*, vs. ANTONIO SUÑOL *et al.*, *claiming the Rancho Los Coches*.

This claim submitted without argument on behalf of the appellants.

Claim for a half-league of land in Santa Clara county, confirmed by the Board, and appealed by the United States.

The claim in this case was unanimously confirmed by the Board of Commissioners. It has been submitted to this Court on the proofs taken before the Board, and without argument on the part of the appellants, or the statement of any objection to its validity. On reference to the opinion of the Board, we find but two questions discussed, and which, it is presumed, were the only points made on the part of the United States.

The first relates to the location of the grant. The Board, after an elaborate and thorough examination of the testimony, arrive at the conclusion that the calls in the grant and the delineation of the tract on the *diseño* are abundantly sufficient to enable a surveyor to locate the grant. On examining the transcript, this opinion of the Board seems fully sustained by the proofs, and the doubts or difficulties felt by some of the witnesses as to the proper location of the land seems to have originated in a misconception of the true meaning of some of the calls in the grant. The grantee is shown to have occupied his land from a period anterior to his grant; to have lived there with his wife and children, and to have made considerable improvements.

To the discussion of the second and more important question, whether Roberts, the original grantee, being an Indian, had a right to receive grants of land under the Mexican laws, and to convey the land so granted, the Board devote a large portion of their opinion. But that question has been settled in the Supreme Court in accordance with the views expressed by the Board, and is no longer open for argument in this Court. The genuineness of the original documents is not questioned, and the title of the present claimant appears to have been regularly derived from the original grantee and his heirs, and to have been accompanied by possession. A decree affirming the decision of the Board must therefore be entered.

THE UNITED STATES, *Appellants*, vs. JUANA BRIONES, *claiming the Rancho la Purisima Concepcion*.

The validity of this claim undoubted.

Claim for one square league of land in Santa Clara county, confirmed by the Board and appealed by the United States.

The Board of Commissioners, in their opinion in this case, observed that it presents no point of doubt or difficulty. The genuineness of the original grant is fully established. The grantees are shown to have been in the possession and occupation of the land for several years prior to their grant, and

continued to reside on it until 1844, when, with the permission of the Governor, it was sold to the present claimant. The latter has resided on it up to the time of the filing of her petition.

In a note appended to the original grant, the boundaries are indicated with much precision; and the grant declares the quantity of land granted to be one square league. No objection was made to this claim on behalf of the United States, and we think it should be confirmed to the appellee. A decree to that effect will therefore be entered.

THE UNITED STATES, *Appellants*, vs. RUFINA CASTRO, *et al*, *claiming the Rancho Solis*.

The nonproduction of the grant in this case does not affect the validity of the claim, the loss of the grant being proved, and long and notorious occupation of the land established.

Claim for two leagues of land in Santa Clara county, confirmed by the Board, and appealed by the United States.

The only doubt that can be raised with regard to the validity of this claim, arises from the fact that the original grant is not produced. The Board, however, after considering the evidence taken to show that the grant had been delivered to the deceased grantee, as well as its subsequent loss, arrive at the conclusion that it duly issued as represented in the petition. The fact that the list of grants in the archives contains this amongst others, the parol testimony of several witnesses who have seen it and know that it was produced and referred to, to settle disputed boundary lines, and the still more conclusive fact that the grantee and his family have resided upon the land for more than twenty years, are sufficient to remove any suspicion which the nonproduction of the grant might otherwise suggest. An occupation so long continued and so notorious, with a claim of ownership so universally recognized, might of itself be deemed sufficient evidence of ownership.

The claim was unanimously confirmed by the Board, and we see no reason for reversing their judgment; nor has any been suggested on the part of the United States. A decree of confirmation must therefore be entered.

THE UNITED STATES, *Appellants*, vs. THE HEIRS OF JOSÉ MARIA SANCHEZ, *claiming the Rancho Las Animas*.

The objection that the boundary of an adjoining rancho is affected by this claim is untenable, the controversy being between and including the United States only.

Claim for four leagues of land in Santa Clara county, confirmed by the Board, and appealed by the United States.

The claim in this case is founded on a title issued by Governor Figueroa

to the widow of Mariano Castro. It appears from the voluminous documents contained in the *expediente*, that Josefa Romero, the widow of Castro, petitioned the Governor for a revalidation of the title of her husband, or in case the papers on file did not authorize such a proceeding, then for a new grant to herself. The Governor directed a search to be made in the archives for the record of the proceedings relative to the first grant. That record is embodied in a report of the Secretary Negrete, and presented to the Governor for his examination. It is unnecessary to recapitulate these documents, or to examine the various reports and records of proceedings before the Viceroy of New Spain on Mariano Castro's petition. The Governor seems to have been satisfied as to the right of Josefa Romero to have the land which Mariano Castro had occupied for many years confirmed to her. He accordingly issued his decree recognizing the right of the party as ascertained from the archives, and ordered the proper testimonial of her title to the property to be issued to her. In this decree the Governor mentions that the rancho of Las Animas has been possessed by Castro and his family for more than twenty years, "in public notoriety," and as their right is proved to this tract granted to Castro under the name of La Brea, by the Vice Royal Government in 1802, he ordered a testimonial to issue for their protection, and inasmuch as the boundaries are not expressly defined in the grant of the Viceroy, the parties must confine themselves to those set forth in the petition filed on the part of Rufina Romero, leaving uninjured the rights of any third party who may consider himself aggrieved by the proceedings.

The authenticity of all the documents in the case is proved, and the long continued habitation and cultivation of the rancho for nearly half a century by those under whom the appellees claim, leave no doubt as to the validity of the title. It was accordingly unanimously confirmed by the Board.

Much testimony has been taken on the part of the claimants of the adjoining rancho of San Ysidro, to prove the precise location of the boundaries between that rancho and the rancho of Las Animas. But it has already been determined by this Court and the Board of Commissioners, that the rights of third parties cannot be adjudicated in this form, and that the question to be determined in this class of cases is merely the validity of the claim as against the United States. Between the United States and the claimants final decrees in these suits are conclusive, but the Act of 1851 expressly declares that such decrees shall not affect the interests of third persons. All questions between claimants arising out of a conflict of boundaries are by the thirteenth section of that Act more appropriately referred, in the first instance, to the Surveyor-General, but leaving to the parties the right of resorting to the proper judicial tribunals.

As the "testimonial" or decree made by the Governor mentions the boundaries of the tract of "Las Animas" to be those indicated in the *diseño*

which accompanies the petition, leaving uninjured the right of any third party who may consider himself aggrieved by the proceeding, the right of such parties would seem to have been intended to be left in the same condition as under patent issued by the United States under the law of 1851.

It is clear, from the terms of the testimonial, that the Governor intended to confirm and recognize the rights of the petitioners to the land of which they had long been in possession; and that so far as the Government was concerned, he was willing to adopt the boundaries indicated by the petitioners on the *diseño*. But those boundaries were not intended to be conclusive upon the rights of others, and the reservation made in the decree clearly shows, that if, in delineating the boundaries of the tract of which they claimed to be owners, the petitioners had exceeded its true limits or included the land of others, the rights of such parties were not intended to be prejudiced by the decree of concession.

I think, therefore, that a decree should be entered in this Court in conformity with the decree of the Governor, and that the title of the claimants should be confirmed to the land according to the boundaries indicated on the *diseño*, but without prejudice to the rights of the parties who may be injured by such location.

THE UNITED STATES, *Appellants*, vs. AUGUSTIN BERNAL, *claiming the Rancho Santa Teresa*.

The validity of this claim not disputed.

The claim in this case was confirmed by the Board, and it has been submitted to this Court on appeal without argument on the part of the United States.

The claim seems to be one of the most meritorious which has been presented for our consideration.

The petition of Joaquin Bernal bears date May 10, 1834, and states that the petitioner was an invalid soldier, ninety-four years old, and with a posterity of seventy-eight children. That he had entered into possession of the place five years before, by permission of the Ayuntamiento of the Pueblo of San José, and that he and his family had built four adobe houses, and had continued to occupy the land with his property, consisting of twenty-one hundred head of cattle, one hundred and twenty sheep, three mares and fifty tame horses, etc.

The Governor, after the usual references, acceded to the petition, and the concession was confirmed by the Departmental Assembly, with a slight modification of the boundaries of the tract—the Assembly having decided on the application of Juan Alvarez to accept out of the land the portion claimed by the latter. In accordance with this resolution, the title was issued to Bernal on July 11, 1834. In the month of July, 1835, Bernal

applied to the Constitutional Alcalde of San José for judicial possession of the tract granted, which was accordingly given by that officer.

The genuineness of the original title is clearly proved, as well as that of the "testimonio" or certificate delivered to the grantee by the officer giving judicial possession. To this latter instrument were prefixed the original grant and a copy of the map contained in the *expediente*. The latter document is also duly produced from the archives, and the genuineness of the claim is established beyond all doubt by the production of all the evidence of every kind which can be adduced in support of a grant by the former Government of this country. From the year 1826 until the present time, the land has been occupied under an unquestioned title by the grantee and his numerous descendants. The only doubt suggested in this case arises from an alleged error in the boundaries, as fixed by the officers giving judicial possession. But on closely examining the proofs, there does not seem any reason to suppose such an error to have been committed. The survey on which reliance was placed as establishing that the tract of which possession was given exceeded in extent the quantity granted, appears to have been exceedingly inaccurate, for independently of the surveyor's map, it is also shown that the tract surveyed, and the extent of which he attempts to establish included a considerable quantity of land not comprised within the boundaries established by the officer who gave judicial possession. On the whole case there seems no reason to suppose that the tract of which possession was given, and of which the grantee and his heirs have enjoyed the undisputed and notorious possession for more than thirty years, differs either in quantity or as to boundaries from that described in the grant and the map to which it refers. The opinion of the Commissioners is so full and conclusive on this point that it is not deemed necessary to discuss it further, particularly as the objection has not been urged in this Court, or any attempt to impair the force of the reasoning, or correctness of the conclusion of the Board. We think, therefore, that a decree of confirmation should be entered for the land, as described in the grant, and according to the boundaries fixed in the act of judicial possession.

THE UNITED STATES, *Appellants*, vs. MANUEL ALVISO, *claiming the Rancho Quito*.

No objection to the validity of the claim.

The claim in this case was confirmed by the Board.

It has been submitted to this Court without argument or the statement on the part of the appellants of any reasons for reversing their decree. No doubt seems to have been entertained by the Commissioners as to the authenticity of the grant. The original is produced and the *expediente* is found in the archives. The land was occupied and

cultivated by the original grantees, and has continued in their possession and that of persons claiming under them, until the present day. Its boundaries are well known, and described with considerable precision in the grant and accompanying map. We see no reason for reversing the decision of the Board. The claim must therefore be confirmed.

THE UNITED STATES, *Appellants*, vs. CHARLES FOSSAT *claiming the Rancho Los Capitancillos*.

The genuineness of the grant in this case not disputed. The ruling in Estudillo's case, that the words "poco mas ó menos" are operative for such fractional parts of a league as may be in excess of the quantity named in the grant, reaffirmed. The southern boundary of the land granted to Justo Larios declared to be the main Sierra, and not the low hills or *lomas bajas*.

Claim for one league of land in Santa Clara county, confirmed by the Board, and appealed by the United States.

At the hearing of this case, the Court entertaining no doubt upon the points presented, expressed verbally its opinion. At the suggestion of the Attorney for the claimants, I have committed to writing the substance of the views then expressed.

The genuineness of the grant was not disputed. The only questions discussed were as to the extent and the boundaries of the tract granted. The land is described in the grant as known by the name of the Capitancillos, bounded by the Sierra, by the Arroyo Seca on the side of the establishment of Santa Clara, and by the rancho of citizen José R. Berreyessa, which has for a boundary, a line running from the junction of the Arroyo Seca and Arroyo de los Alamitos southward to the Sierra, passing by the eastern "falda" of the small hill situated in the center of the Cañada. The third condition states that the land herein referred to is one league *de ganado mayor*, a little more or less, as is explained by the map accompanying the *expediente*.

It had been urged to the Court in previous cases, that where the conditions of a grant mentioned the tract referred to as of so many leagues "a little more or less," the latter words should be rejected for uncertainty, and the quantity of land should be limited to the number of leagues mentioned. But this construction the court had refused to adopt. It was considered that the inquiry in these, as in other grants, was as to the *intention* of the grantor, and that the Court could not attribute to him an intention to grant so many leagues and no more, in the face of his declaration that he intended to grant the specified quantity, a "little more or less."

It is not necessary now to recapitulate the various considerations upon which the Court determined the question. It was of opinion that where the boundaries of the land granted were designated with reasonable certainty,

the mention in the condition of a certain number of leagues, "more or less," as the quantity of land granted, should be considered as indicating an intention to grant the whole tract within the boundaries, provided the excess over and above the number of leagues mentioned was not so great as to indicate gross error or fraud; and that, as under the former government the ordinary unit of measurement was a league, the term "more or less" should at least be constructed to embrace such fractional parts of a league as might be found within the boundaries, if no greater excess than some fraction of a league were found within them. It may deserve consideration whether such a mention of quantity should not be considered in all cases, except those of gross error or fraud, rather a conjectural estimate of the quantity previously granted than as a limitation of that quantity, and whether the grant should not be deemed, except in the cases referred to, a grant by metes and bounds, or by boundaries.

It is enough, however, for the present, to say that this Court has decided that under the words "more or less" such fractional part of a league over and above the number of leagues mentioned will pass, as may be contained within the boundaries described in the grant. This point was not discussed at the hearing of this case, the District Attorney being aware that it had already been passed upon by the Court.

The questions more particularly debated were:—First, whether the Court had any power by its decree to designate the boundaries of the tract confirmed to the claimant, or whether the language of the grant must be adopted, leaving the location of the boundaries and the identification of the natural objects called for to the Surveyor General. Secondly, what were the boundaries called for.

As to the first point I entertain no doubt. The Court is not, it is true, authorized by the Act to designate the "extent, locality and boundaries" of the land. This, in the absence of a preliminary survey, would be impracticable; but the determination of the *validity* of a claim to a particular tract of land necessarily involves an inquiry, to a certain degree, into the boundaries or the extent of the tract, the validity of the title to which is in question.

If the Court decrees that the title of the claimant is valid to a piece of land, it should by its decree identify and designate that land, so that it may be known to what the claim is valid. But surely it is not only its right but its duty to construe by the aid of evidence and argument any ambiguity or uncertainty apparent on the face of the grant itself, and where the grant, as in this case, speaks of a "Sierra" as a boundary, to ascertain and declare what Sierra is meant, and to express in its decree that it confirms a claim to a tract bounded by a particular and specified Sierra, and not by such Sierra as the Surveyor General may consider to have been intended.

The Supreme Court, in many of the cases brought up on appeal from this Court, have entered fully and freely into the question of boundaries, and appear to have considered their determination not only as within their jurisdiction, but as an appropriate and important part of their duties.

The remaining question to be considered is, what boundaries were intended by the grantor. The only one of those mentioned, the identity of which was debated, is the southern boundary mentioned in the grant as "the Sierra." The point to be determined is—what natural object was meant.

The evidence shows that the tract called Capitancillos is a valley lying along an *arroyo* or brook; on the southerly side extends a range of low hills, running from east to west. At their eastern extremity, where they are intersected by the Alamitos, these hills attain considerable elevation, but they decline in height towards the west, where they reach and are turned by the Arroyo Seca. Behind this ridge or *cuchilla* the main *Sierra* or mountain chain raises itself to a great height, and is separated from the ridge of "lomas bajas," already spoken of, by the two streams mentioned. These streams rise at an inconsiderable distance from each other and flowing in opposite directions between the Sierra and the *lomas bajas*, they turn the eastern and western extremities of the latter and debouch into the plain. Upon the slopes of the ridge of low hills, as well towards the valley on the north as towards the streams behind it on the south, the best or most permanent grazing is to be found, and on this ridge are situated the valuable quicksilver mines, the existence of which gives to this inquiry its chief importance.

The question is—Is the Sierra mentioned in the grant the mountain chain to the south of the *lomas bajas*, or is it the *lomas bajas* themselves?

If there were no other means of determining this question, the word "Sierra" itself, by its necessary import, as well as from the evidence which shows to which of these natural objects it was in fact applied, would leave little room for doubt. The natural and ordinary meaning of the term clearly points us to a great mountain chain, rather than to a ridge of low hills parallel to but separated from it. The evidence is conclusive that such was the meaning and use of the word with reference to these particular natural objects, and that while the mountain range was known as the Sierra, the ridge of low hills was known as the "Cuchilla la mina de Luis Chaboya," or as the *lomas bajas*.

The *expediente* furnishes more conclusive evidence on this point. The tract is described, as we have seen, as of one "league, a little more or less, as is explained by the map accompanying the *expediente*." On this map is found rudely delineated a mountain range, and this mountain range is inscribed "Sierra del Encino," or "of the oak tree." The Sierra mentioned in the grant is therefore evidently the "Sierra del Encino," for that is the only Sierra delineated on the map.

The evidence discloses that there is on the main *Sierra* or mountain chain an oak tree of extraordinary proportions and striking appearance. Situated on a spur or ridge of the mountain, it is a conspicuous natural object from all parts of the valley and for many miles around. The photograph exhibited in Court shows that its size and isolated situation are such as to strike the eye and arrest the attention of the most casual observer. Few who reside in that part of the country but are acquainted with the existence and situation of this tree, and it appears in the speech of many of the former inhabitants to have given a name to the *Sierra* on which it is situated. If then, as appears indisputably, the *Sierra* referred to in the grant be the "*Sierra del Encino*," the *Sierra* on which this oak tree is situated must be the one.

A still further confirmation of these views is derived from the map accompanying the *expediente* of Berreyessa.

The grant we are considering mentions as the eastern boundary of the tract granted "the rancho of citizen José R. Berreyessa, *which has* for a boundary a line running from the junction of the Arroyo Seca and Arroyo de los Alamitos southward to the *Sierra*," etc. This line thus dividing the two ranchos had previously been a subject of dispute between the *colindantes* or neighboring proprietors. It was finally settled, however, by the Government before the grants were issued, and a dotted line, indicating the boundary agreed upon by the parties and fixed by the Government was made on the *diseño* of Berreyessa. This line is described in both grants in the same terms.

That under consideration refers, as we have seen, to the rancho of Berreyessa as the boundary of the rancho of Justo Larios, and then describes the line as the boundary of Berreyessa's tract. The same inverted mode of description is used in the grant to Berreyessa. To determine what the boundary of Justo Larios' land is, we must, in literal compliance with the terms of the grant, ascertain the boundary of Berreyessa's land, and in ascertaining the latter we resort to the map on which the dotted line is marked. In Berreyessa's grant, as in that of Justo Larios, the line is described as extending to the "*Sierra*," and as the ranchos were conterminous, and the eastern boundary of one is the western boundary of the other, the "*Sierra*" to which their common line of division extends must be the same. On recurring, then, to Berreyessa's map and the dotted line alluded to, all doubt is dissipated as to the range of mountains referred to.

On this map two ranges of hills or mountains are rudely but unmistakably delineated. They are separated by a broad valley—far broader than that actually existing, but indicating by its exaggerated delineation the discrimination in the grantor's mind between the ridge of low hills and the *Sierra*, or mountain range behind it. The lower ridge is inscribed "*Lomas Bajas*," while the chain behind it and distinctly separated from it is inscribed "*Sierra Azul*," from the hue which the mountains assume at a distance.

The dotted line which by the grant is to terminate at the "Sierra" is produced *across* the "Lomas Bajas," across the valley beyond them, and terminates at the "Sierra Azul."

There can thus be no room for doubt that the Sierra intended was the main *Sierra* or mountain range, and as the western line of the land of Berreyessa extended to this range, the land of Justo Larios, which has the same line described in the same terms as its eastern boundary, must have the same extent. The Sierra referred to in Justo Larios' grant must necessarily be the same as that referred to in grant the of Berreyessa, and as to the latter, there can be, as we have seen, no question.

Other considerations in support of this view might be urged. I think it unnecessary. There seems to me no room for doubt that the Sierra referred to in the grant was the main Sierra described by the witnesses, and not the range of low hills which has been attempted to be assigned as a boundary.

THE UNITED STATES, *Appellants*, vs. JAMES ENRIGHT, *claiming a tract of land in Santa Clara county. Two thousand varas square.*

An inchoate title, followed by juridical possession, presents an equity which the United States are bound to respect.

This claim was confirmed by the Board, and appealed by the United States.

The documentary evidence of title exhibited by the claimant in this case is as follows: A petition to the Governor dated December 20, 1844; a marginal decree or order for information by the Governor, and a favorable report by the Secretary, Manuel Jimeno. On receiving this report, the Governor makes the following decree, "January 6, 1845. Granted as asked for and reported by the most Reverend Father Minister Micheltorena."

The claimant has also produced a record of judicial possession, which seems to have been formally given him by the Constitutional Judge of First Instance of the Pueblo of San José Guadalupe, February 18, 1846.

It is objected that these documents are insufficient to vest any title, either legal or equitable, in the claimant. It must be admitted that the concession in this case is not the final *documento* or title which, by the eighth article of the regulations, the Governor was authorized to issue when the definitive concession was made. In *Arguello vs. The United States*, (18 How., 543) the Supreme Court, after alluding to the "informes" usually required, says: "by the fourth section, the Governor being thus informed may 'accede or not' to the petition. This was done in two ways; sometimes he expressed his consent by merely writing the word '*concedo*' at the bottom of the *expediente*; at other times it was expressed with more formality, as in the present case. * * It is intended merely to show that the Governor has 'acceded' to the request of the applicant, and as an order for a

patent or definitive title in due form to be drawn out for execution. It is not itself such a document as is required by the eighth section, which directs that the definitive grant asked for being made, a document signed by the Governor shall be given to serve as a title to the parties interested." But this concession, although not the final title which issued under the eighth article, is nevertheless a grant. The words of the grant are positive and plain; and though shorter and more informal than the usual decree of concession, commencing with the words "vista la peticion," it is in all respects as effectual to constitute an inchoate or imperfect title.

It has always been held by this Court, that according to the provisions of the regulations the formal or definitive title contemplated by the eighth article could not issue until after the concession of the Governor had been approved by the Departmental Assembly; and that though the practice of issuing that document in advance of such approval, and in terms "subject to it," obtained to a considerable extent, yet such a document, where no approval had been obtained, constituted merely an inceptive or equitable title. Whether this latter view be correct or not, no doubt can be entertained that the first decree of concession, whether made in the more formal manner usually observed or, as in the present case, by the short declaration that the land was "granted as asked for," afforded the basis for the Departmental Assembly, whose approbation was necessary to perfect or give "definitive validity" to the title.

When, therefore, it appears that this inceptive title has been delivered to the party shortly after its date, and has been regarded by the judicial officer as furnishing the requisite authority to enable him to put the grantee in possession, it should be treated as vesting in the grantee the inchoate or equitable title, which, when followed by occupation and cultivation, ought to be respected.

There is no reason to suppose that when the Governor, after having obtained the requisite information, had acceded to the petition, made a decree of concession, and ordered the patent to issue, he would have declined to sign the title in form. So far as his action was concerned he was *functus officio*, except the merely formal act of signing the final "*documento*;" and it may well be doubted whether, if this concession had been approved by the Assembly, he would have been at liberty to withhold from the party the formal evidence of title which the eighth article directs him to issue in such cases. It is not explained why the Governor did not in this case pursue the more usual practice of issuing the final title "subject to the approval of the Assembly." He may, perhaps, in strict conformity with the regulations, have withheld it until the approval was obtained, or he may, according to the loose and informal practice of the country, have considered that for so small a piece of land the grant indorsed upon the petition was sufficient to secure

the rights of the applicant. The concession was at all events delivered to the grantee; for we find it in his hands very soon after its date, and by virtue of it the possession was formally delivered to him.

The next inquiry is, did the grantee fulfill the conditions usually annexed to the formal title, and in consideration of which it issued?

On this point there is some conflict of evidence. After referring to the testimony, the Board, in their opinion, say:

"From a careful examination of all the proofs in the case, we think the preponderance of proof is in favor of the claimant, and must be regarded as establishing the fact of the cultivation of the place, by Garcia, from a period anterior to the grant, to the time of sale to Enright" (the present claimant). We see no reason to dissent from this conclusion.

The remaining question relates to the location and extent of the land. The petition described it as "two thousand" varas of farming land; a note in the margin of the petition, by Pacheco, states that the petition for the farming land is for eight thousand varas.

Under this description juridical possession was given of a piece of land two thousand varas square. There might, perhaps, be some room to doubt whether the land described in the petition was two thousand varas square or two thousand square varas; but the note of Pacheco, the construction given to the concession by the Alcalde, as well as the natural interpretation of the words when properly used, satisfy us that the intention was to grant a piece of land two thousand varas square, or bounded by a line eight thousand varas long, taking the four sides together, as stated by Pacheco.

On the whole, we are of opinion that the grantee acquired by the concession, an inceptive or inchoate title, which, when followed by cultivation and juridical possession, constitute an equity the United States are bound to respect. The decree of the Board must be affirmed.

THE UNITED STATES, *Appellants*, vs. MARY S. BENNETT, *claiming two tracts of land in Santa Clara county.*

Where a decree, through mistake or accident, does not express the judgment of the Court, it may be corrected on motion made after the expiration of the term at which it was enrolled.

This was a motion to amend the decree of confirmation so as to conform to the decree of the Board of Commissioners.

When this case was called in its order on the calendar, the District Attorney stated to the Court that he had no objection to make to the affirmance of the decree of the Board and to the confirmation of the claim. An order confirming the claim was thereupon entered upon the minutes, and the parties were directed to draft the decree and present it to the Judge for signature, first submitting it to the District Attorney for examination. A draft

decree was accordingly presented to the Judge, with an indorsement thereon, signed by the District Attorney, that the same was correct. It was therefore signed by the Judge without examination, and in entire reliance upon the consent of the District Attorney that the decision of the Board should be affirmed, and his certificate that the form of the decree was correct.

Notice having been received from the Attorney General that the United States would not prosecute the appeal from the decision of the Board, and a decree in this Court having been made, as above stated, before the reception of the notice, the District Attorney entered into a stipulation and consent that, no appeal should be taken from the decree of this Court, and that the claimants might proceed as under a final decree. After this stipulation was entered into, it was discovered by the District Attorney, that, through error or accident, the description of the land, contained in the decree of this Court, was widely different from that contained in the decree of the Board; and that the land confirmed by this Court is of larger extent and different situation from that confirmed to the claimants by the Board—the claim to which alone he intended to consent should be affirmed, and the United States had consented not further to litigate. A motion is now made to amend the decree signed by this Court, as above stated, so as to make it conform to the decision of the Board. It is resisted, on the ground that the term having expired, the Court has no power to alter or amend its final decrees.

If the application were intended to procure a revision and correction of any errors, either in law or in fact, or to change opinions once given, or to obtain a new decision, it would of course be denied. Even if a Court had no jurisdiction over the cause, the judgment is binding until reversed on error. (6 How., 31.) But in this case, so far as the Court can be said to have passed at all upon the questions submitted to it, its judgment and intention were that the decision of the Board should be affirmed. It certainly cannot be said to have intended to depart from that decision by confirming to the claimant another and a different tract.

Such was the obvious effect of the first order of confirmation directed in open Court to be made, and such was supposed to be the effect of the decree signed on the faith of the District Attorney's certificate of correctness. If then, through accident or mistake of the District Attorney, the decree approved by him and signed by the Court does not describe the land which he was willing should be confirmed, and which the Court supposed it was confirming, it would seem to present a case of mistake which the Court after enrollment has the power to correct. In so doing it makes no new decree, nor does it review or reverse any former judgment, nor make a new decision on points already passed upon. It merely makes the written decree conform to what was in fact the judgment of the Court, and enters a decree now, such as it intended to enter then.

The case of *Marr's Administrator vs. Miller's Executor* (1 Henring Munf., 204) is directly in point.

In that case a decree was improperly entered at a previous term by the inattention of counsel who drew it. It was sought to be amended on motion.

Per Curiam.—"The practice of this Court heretofore and of the Federal Courts in this place has been inquired into, and it appears that in all cases where, by *mistake*, an entry has been made, it has been rectified on motion. And where any error has been committed by the officers of the Court, or gentlemen of the Bar, it has been corrected on motion. Let the decree be set aside and entered now as it should have been."

A similar power appears to have been exercised by Lord Hardwicke, in *Kemp vs. Squire*, (1 Vesey, Jr., 205) and in other cases cited in the brief on the part of the United States.

On the whole, we think that the case presented is one where the Court has the authority to amend its decree; and that a decree should be entered *nunc pro tunc*, affirming the decision of the Board, and confirming the claim of the appellees to the land as therein described.

It should, perhaps, be observed that it is contended by the counsel for the claimant that the decree entered in this Court does not substantially differ from that of the Board. It is enough to say that the description of the land is entirely different, and designates boundaries not mentioned either in the original petition of the claimant, or in any of the documents presented by her. It is apparent that the land confirmed by the decree of this Court may be different from that confirmed by the Board. The possible existence of such a discrepancy would seem to be enough to warrant the amendment of the decree, so that it may conform to the decision intended to be, as expressed in the decree itself, "in all things affirmed."

CIPRIANO THURN *et al.*, claiming part of the *Rancho Canada de Cortes Madera*, Appellants, vs. THE UNITED STATES.

Where one of two persons to whom a grant was made has exhibited a deed from his co-grantee, and obtained a confirmation of his claim to the whole tract, the co-grantee who has presented his separate claim for his half, and who denies the execution of the deed, is entitled to a confirmation as against the United States, and the rights of the parties *inter sese* will be left to be determined by the ordinary tribunals.

Claim for one-half of a square league of land in Santa Clara county rejected by the Board, and appealed by the claimants.

In this case the genuineness of the grant, the regularity of the proceedings, and the fulfillment by the grantees of all the conditions are established by abundant proofs, and admitted on the part of the United States. The



S. I. Jamison

proceedings up to the issuance of a final title and including an approval of the grant by the Departmental Assembly, were conducted in strict conformity to the Regulations of 1828; and on June 11, 1834, the final *documento* required by those regulations was issued to the appellants, Maximo Martinez and Domingo Peralta.

The present claim is by the representatives of the latter, and is for one-half of the rancho. Maximo Martinez has also presented his claim, which, however, embraced the whole rancho. To establish his title to the share of his co-grantee, he gave in evidence an alleged conveyance, dated May 19, 1834, from Peralta to himself. As this conveyance seemed *prima facie* to show the whole title to be in Martinez, the claim to the whole was confirmed to him by the Board and by this Court. Domingo Peralta now presents his claim, and would clearly be entitled to a confirmation of one-half of the land, had not the United States put in evidence the conveyance alleged to have been made by him to Martinez as above stated. Many objections to this document were urged on the part of the claimant; but its genuineness and supposed legal effect were strenuously denied.

The District Attorney declined to argue the questions discussed by claimants, observing that the controversy was one in which the United States had not the slightest interest; the grant was unquestionably valid, and the land had already been confirmed to Martinez, the appeal in whose case had been dismissed by order of the Attorney General. He further observed, that no decision of this Court could in any way determine private rights in the parties to land admitted not to belong to the United States, and to which the full legal and equitable title was already vested in private individuals.

The District Attorney was understood to say that he interposed no objection to a confirmation to the present claimant, if the Court was of opinion that such a decree should be entered.

It has heretofore been decided by the Board and this Court that third persons have no right to intervene in these proceedings to ascertain whether land claimed under titles derived from the former Government is public or private land. As the decree of this Court and the patent issued under it cannot effect the rights of any parties, except the United States and the claimants, it seemed manifestly improper to allow an inquiry, instituted to ascertain the rights of the United States, and to determine what was private and what public land, to be controverted into a complicated series of cross ejections between various private claimants, and this, where the decision of the Court could not in any event decide the rights litigated before it. The only course, therefore, to be adopted was to confirm to the claimant whenever he, by a deraignment of title *prima facie* regular, showed himself to be the owner of a valid grant.

This mode of proceeding involved, it is true, the apparent anomaly of con-

firming in some cases the same land to different persons claiming under the same original grant. But as each suit was separate, and as the Court could not enter into questions of adverse private rights, this anomaly was not to be avoided. Had the present claimant been permitted to intervene in the case of Martinez, he perhaps might have shown, as he claims to have done in this case, that the alleged conveyance to Martinez was fabricated or inoperative. As he was not permitted to do so, it seems equally improper to allow that conveyance to be introduced into this case, nominally on the part of the United States, but really on the part of Martinez, to defeat the claim of Peralta to a confirmation, which if it were not for that conveyance he would be clearly entitled to. Besides, if the validity of that conveyance is to be passed upon by this Court, Martinez should be heard, and allowed to introduce testimony. The District Attorney has neither any interest nor power to represent him. To the United States it is indifferent whether the land belongs to both the original grantees, or to Martinez alone.

To refuse to confirm this claim, is a recognition of the validity of a conveyance which may be liable to grave objections. But to confirm the claim, is merely to give to the claimant a right to a deed from the United States, relinquishing and quit-claiming any supposed title they might have been deemed to possess, and the reception of which merely puts the claimant on an equal footing with his adversary, and enables both to contest with equal evidence of title from the United States their adverse rights before the ordinary tribunals. I think that the only course to be adopted is to confirm this claim, and to leave the question of ownership *inter partes* to be litigated before the tribunals having jurisdiction over the subject matter of the controversy. A decree must be entered accordingly.

J. W. REDMAN *et al.*, claiming part of the Orchard of Santa Clara, Appellants, vs. THE UNITED STATES.

The claim must be rejected, on the ground that the *bona fides* of the grant have not been sufficiently established by the evidence.

Claim for about ten acres of land in Santa Clara county, rejected by the Board, and appealed by the claimants.

The claimants have produced in evidence a grant purporting to have been made by Pio Pico, on June 30, 1846, conveying the orchard of Santa Clara to Castañeda, Arenas and Dias in consideration of twelve hundred dollars paid by them to the Government. Also, a memorandum or account, purporting to have been signed by Pico, of the articles furnished to the Government by the Señores Castañeda, Arenas and Dias, in payment of the purchase money of the gardens of Santa Clara and San José. This receipt or account is dated Los Angeles, July 2, 1846. The grant purports to be signed by Pio Pico, as Governor, and by José Matias Moreno, as Secretary. Appended to it is

a usual certificate, signed by Moreno, stating that "a note of this superior decree has been taken in the corresponding book." No *expediente* from the archives has been produced, nor do those records contain any trace whatever of the execution of this grant. No corresponding book has been exhibited, nor is any such found among the archives. No possession of the land was taken by the grantees during the existence of the former Government. It is stated by Jas. Alexander Forbes that the orchard remained in possession of the missionary priests up to the year 1849 or 1850. About that time, one Osio obtained the possession, but by what right or title does not appear. The claim thus rests entirely on the alleged grant produced by the parties, with the usual proof of signatures, and on the parol testimony offered by them.

It is contended on the part of the United States that the grant was made subsequently to the conquest of the country, and is antedated.

The grant, as we have seen, purports to have been made at Los Angeles, June 30, 1846.

It was proved before the Board that at that date Pio Pico was not at Los Angeles, but at Santa Barbara, with his secretary and suite. The claimants have taken, however, in this Court, the deposition of Cayetano Arenas, who testifies that the grant was made in Santa Barbara, and sent, by the Governor, to the witness at Los Angeles, where it was received by him July 4, 1846; and it is suggested that the grant was dated Los Angeles, the Capital of the Department, though actually signed at Santa Barbara, in accordance with the practice of the Governor. The explanation is plausible, though it has somewhat the air of an afterthought to meet a difficulty that had unexpectedly arisen.

It is strange, however, that the receipt above referred to should particularly set forth that "it was given, for the security of those interested, *in the City of Los Angeles on the second of July, 1846*," when, in fact, if executed at all on that date, it must have been executed in Santa Barbara, or on the Governor's own rancho.

The grant, as has been stated, is to Juan Castañeda, Luis Arenas, and Benito Dias. Castañeda is dead. The other two have been examined as witnesses. It is clearly proven, and indeed, admitted by Cayetano Arenas, that the grant is in the handwriting of Castañeda.

It is also in proof that during the month of June, and during the first days of July, 1846, Castañeda was at the head-quarters of General Castro, at Santa Clara. That about the 10th of July, he was on the road to Los Angeles, at which place he arrived about the end of July. These facts are established by the testimony of General Castro himself, by that of Benito Dias, and Cayetano, and Luis Arenas. Dias states that he left Monterey for Los Angeles on the 10th, or 12th of July. That on his way down he met

Castañeda with General Castro; that they proceeded together to Los Angeles, where they arrived about July 20th; that they saw Pio Pico, on their journey, at his rancho of San Marguerita.

Cayetano Arenas, the claimant's witness, states that at the time he received the grant from Pio Pico, viz., July 4th, Castañeda, Benito Dias, Luis Arenas, the father of the witness, were not in Los Angeles, but were in the upper country; and that the latter arrived a few days afterwards. Luis Arenas testifies that he first saw the grant in the hands of Castañeda, in his (Arenas') house, in Los Angeles; that he left San José for Los Angeles the day after he heard of the taking of Sonoma by the Americans. This event occurred in the middle of June. Supposing, then, the witness' memory to be accurate, he must have lingered on the road, if his son is to be believed, a considerable time, for Cayetano Arenas swears, as we have seen, that he received the grant in Los Angeles, on July 4th, and his father did not arrive until some days afterwards. Luis Arenas further states that he "met Castañeda in Los Angeles a little while after his arrival." We have already seen, however, that Castañeda did not arrive in Los Angeles until about July 20th. And Luis Arenas admits that when Castañeda showed him the grant, Benito Dias and Governor Pico were in the place, and that he saw them every day.

Bearing these facts in mind we proceed to consider the testimony of Dias with respect to the execution of the grant. This witness swears that the grant was executed in Los Angeles about August 1st; that he saw Castañeda write it, and that on the same day he brought it back to the house of Luis Arenas, with the Governor's signature attached to it; that the receipt for money and articles furnished was written a few days after, but that he (the witness) never paid anything on account of purchase. If this testimony be true, there is an end of the case.

The fact that the grant is in the handwriting of Castañeda would seem of itself such a corroboration of Dias' testimony as to exclude much doubt as to its truth. Arenas himself does not pretend to have heard of the grant, or the agreement for the sale of the orchard, until after Castañeda's arrival in Los Angeles, and this notwithstanding that, if the receipt be genuine, he, Castañeda, and Dias, had, on July 2d, furnished to the Governor cash and various supplies to the amount of three thousand two hundred dollars. He further states that he gave the Governor two hundred head of cattle; that he received back three hundred dollars in change, and that he delivered to Pico a writing which showed that he made his part of the payment with the two hundred head of cattle, which were then on Pio Pico's rancho. He adds that Pio Pico has these same cattle to this day. Benito Dias states that he knows of the payment for the orchard of Santa Clara only from what Castañeda told him, viz., that he (Castañeda) had given a note to

Pico, payable when the Mexican authority would be re-established, but that he, Dias, never paid any part of it.

The fact that the grant is in the handwriting of Castañeda might, perhaps, be accounted for, consistently with the good faith of the transaction on the hypothesis, which, however, would be purely conjectural, that Castañeda had written it out, and sent it to the Governor. But in such case he must have written it before it was signed, and how can we explain the circumstance that the date (June 30, 1846) is in the handwriting, and evidently written at the same time with the rest of the document? But, supposing this difficulty surmounted, the receipt is evidently antedated, or a fabrication. Arenas could not have assigned the cattle spoken of by him, and the receipt for which is acknowledged, on July 2d, at Los Angeles. He did not arrive until a few days before Castañeda; and his son, the only important witness for the claimants, states that he arrived some days after July 4th. Castañeda could not have paid the cash, or delivered the other articles mentioned in the receipt, on the 2d of July, for at that time he was at the head-quarters of General Castro, at a distance of several hundred miles; and yet the receipt is in his handwriting. The account given by Dias seems the only mode of reconciling these discrepancies, and though I should hesitate to accept his unsupported statement, whether for or against a claimant in cases of this class, in this instance it is corroborated and confirmed by other testimony, as to justify a belief in its truth. Cayetano Arenas is the only witness on the part of the claimants who pretends to have seen the grant before the end of July. If the claim is to be confirmed, it must be on his unsupported testimony. The account given by him bears strong marks of improbability. He states that the grant was sent to him, "as it related to his father's business," and that he was instructed to retain it until Castañeda came down from the upper country. His father arrived a few days after, but Castañeda did not arrive, as we have seen, until about the 20th. The father of the witness was one of the original grantees. It is strange that he should not only have withheld, for nearly two weeks, his grant from his father, who was as much entitled to receive it as Castañeda, but should not at least have shown it to him, or, so far as appears, mentioned its reception. That Luis Arenas saw it for the first time in Castañeda's hands is positively stated by himself. The deposition of Cayetano Arenas was taken after the rejection of the claim by the Board. It is, perhaps, not unfair to say that testimony of so much importance, and introduced for the first time after the claim was rejected, is liable to much suspicion. Luis Arenas was examined and cross-examined at length before the Commissioners.

The fact that Pio Pico was not in Los Angeles at the date of the grant had already been established. Had he known that the grant was in the pos-

session of his son from July 4th until he delivered it to Castañeda, he would naturally have stated it. He does not allude to the circumstance. It is difficult to imagine that Cayetano Arenas could have received this grant, made for the benefit of his father, amongst others, and retained it in his possession for nearly two weeks, without ever mentioning the fact, either at the time or even subsequently, up to the moment when his father testified before the Commission. There are the circumstances which tend still further to corroborate the statements of Dias. The alleged motive of making this sale was the exigency of public affairs, which compelled the Government to avail itself of all the resources at its disposal. It was dated within a few days of the capture of Monterey. The payment and support of the army must have been of the first necessity, and the use to which the money and other articles would most probably have been applied; yet Castro, the commanding General states, that he never received any money arising from the sale of the orchards for the expense of the war, and that if money from that source had been so appropriated, he would certainly have known it. On his cross-examination he repeats that, though Pio Pico might have applied money or property arising from this sale to public uses without his (witness') knowledge, yet he could not have applied it to the use of the army.

But Luis Arenas negatives the idea that the cattle at least were applied to public uses, for he states (perhaps unguardedly) that the two hundred head given by him to Pico are still on Pico's rancho. This fact alone would be sufficient to raise a suspicion that the Governor did not, in a crisis in public affairs, in good faith, attempt to obtain supplies by a sale of public domain; but rather that he has been induced at a subsequent day, for his individual advantage, to sign an antedated title. But if there were less force in all these circumstances, one consideration seems to me decisive. Neither Pio Pico nor Moreno have been examined in the case.

The Governor, in the absence of all evidence from the archives, was the person who of all others could have explained when and why he made the grant; why it was dated at Los Angeles; from whom he received it for signature; to whom he sent it; to what use he applied the property, and how it happened that he signed a receipt for it at Los Angeles, on the 2d of July, as received from Castañeda, Arenas, and Dias, when no one of them was at that place.

Moreno might have explained how it happened that the grant was in this case written by Castañeda, when the latter was at its date, and for some weeks subsequently, at a distance of several hundred miles. If the grant was written by Castañeda and transmitted to the Governor for signature, Moreno might perhaps have told us how it happened that Castañeda guessed so prophetically the day on which the Governor would sign it, and was able by anticipation to fill in the date at the time he drew the instrument. For

that the date was written at the same time and in the same hand with the rest of the document is obvious on inspection.

In a case like this, surrounded by circumstances so suspicious, and depending, on the part of the claimants, upon the testimony of Cayetano Arenas alone, the depositions of the Governor and his secretary ought not to have been withheld. If the decision of this cause depended upon weighing the unsupported testimony of Arenas against testimony equally unsupported of Dias, the duty of determining which had sworn falsely would be difficult as well as painful. But the testimony of Dias is corroborated by every fact in the case, while that of Arenas, if not inconsistent with them, is wholly unsupported, and explanation from the best if not the only source from which it could be furnished, is withheld. I think it clearly my duty to reject the claim.

Having reached this conclusion, it is unnecessary to discuss the question whether the Governor had authority to sell the lands of the Missions, or at least the orchards, vineyards and cultivated portions, which, under the decree of the Supreme Government and the proclamation of Micheltorena, had been restored to the missionary priests.

After the above opinion was read, it was suggested to the Court by the counsel for the claimants, that the deposition of José Matias Moreno, which was on file in the case of *T. O. Larkin vs. The United States*, had been by consent, admitted as evidence in this. The claim in the case of *Larkin vs The United States* is founded on the same grant as that exhibited in this case, and is for a part of the orchard.

In the opinion delivered in that case, the testimony of Moreno is adverted to, as follows:—

“Moreno testifies that the signatures of himself and Pico are genuine, and affixed at the time the documents bear date, and that Pico signed them in his presence. He also swears that the documents are in the handwriting of Castañeda, that he saw him write them, and that they were written under his (witness') directions, as he was much occupied with official duties.

“It is enough to say with respect to this statement, that it is abundantly proved by the testimony of General Castro, Benito Dias, Luis Arenas, and Cayetano Arenas, that Castañeda could not have been at Santa Barbara on either the 30th June or 2d July, the days on which the documents are dated.

“The statement of Cayetano Arenas, the chief witness for the claimants, is wholly incompatible with the idea that Castañeda could have been at Santa Barbara and written the grant by Moreno's directions.

“Arenas states that the Governor sent the grant to him ‘with instructions to retain it until Castañeda came from the upper country.’

“It cannot surely be pretended that at the time Castañeda was with the

Governor, writing out the grant and receipt, and delivering the articles mentioned in the latter."

The testimony of Moreno, therefore, entirely fails to afford that satisfactory explanation of the circumstances which the Court is entitled to expect. It has only served to confirm me in the opinion already expressed as to the merits of the claim.

THOMAS O. LARKIN, *claiming part of the Orchard of Santa Clara, Appellants*, vs. THE UNITED STATES.

The *bona fides* of the grant produced is not sufficiently established by the evidence.

But if the grant be genuine, the claim must be rejected, on the ground that the Governor had no power to grant in colonization, or sell for a money consideration, the orchards and like property of the missions.

The claim in this case is founded on the alleged grant to Castañeda, Arenas and Dias, the merits of which were considered in the case of *J. W. Redman vs. The United States*.

THE UNITED STATES, *Appellants*, vs. CHARLES FOSSAT, *claiming the Rancho Capitancillos*.

The southern, western, and eastern boundaries of the tract granted to Justo Larios declared, leaving the northern boundary to be determined by quantity. The former opinion (reported at page 184) with respect to the southern boundary, maintained.

When this case was first submitted to this Court on appeal from the Board of Land Commissioners, it was considered that the four boundaries of the tract were indicated with reasonable certainty by the grant and accompanying *diseño*. It did not escape the observation of the Court that only three of those boundaries were designated in the grant, viz., the southern, the western, and the eastern; but it was thought that the description of the tract in the decree of concession as the "Cañada de los Capitancillos," and the delineation on the *diseño* of the two ranges of hills within which it was contained, sufficiently indicated the location of the northern boundary, the mention of which was omitted in the grant.

The Court was confirmed in this view by the representation of the petition, on the *diseño*, that the tract delineated upon it was of the extent of one league a little more or less, indicating, as it seemed, that he solicited not a specified quantity, but a particular tract, the estimated area of which he declared to the Governor. When, therefore, the Governor granted to him the tract solicited, and described it as "of the extent of one league, a little more or less, as explained by the map," it seemed to the Court necessary, to carry into effect the intention of the grantor, to confirm to the claimant the tract delineated on the

map, even though, as anticipated by the Governor, its extent might be "a little" more than one league; provided such excess did not exceed a fraction of the usual unit of measurement in colonization grants, viz., one league; or in other words, provided that the quantity over and above one league was such as might reasonably be deemed to have been asked for by the petitioner and granted by the Governor, under the description "a square league, a little more or less."

The clause in the third condition, by which the surplus was reserved to the nation, usually called the *sobrante* clause, was disregarded by the Court, that clause being a formula generally, and almost invariably inserted in all grants, without reference to their nature, and being not unfrequently found in grants where all the boundaries are distinctly defined, and even in grants where no boundaries are mentioned, but which are for tracts of a specified length and breadth, where obviously no *sobrante* can remain.

On the hearing, the location or existence of a northern boundary was not brought in question, but the discussion chiefly, if not exclusively, turned upon the location of the southern boundary—the right of the Court to locate which by its decree was denied by the attorney for the United States. In that view, however, the Court did not coincide; but by its decree it defined and located the southern boundary, and thereby decided the most important if not the only point discussed on the hearing.

The cause having been appealed to the Supreme Court, the views of this Court were in some particulars found to be erroneous.

By the judgment of that Court it is decided, not only that in the grant itself there is no call for a northern boundary, but that "there is no reference to the *diseño* for any natural object or other descriptive call to ascertain it; that the grant itself furnished no other criterion for ascertaining it than the limitation of quantity expressed in the third condition, which thus becomes a controlling condition in the grant." The mention of quantity as "a league, a little more or less," the Court regards (after rejecting the words "a little more or less," as having no meaning in a system of location and survey like that of the United States) as so explicit as to render improper any reference to the petition and the *diseño*, or any inquiry as to "whether the name Capitancillos had any significance as connected with the limits of the grant."

As to the propriety of the location of the southern boundary by this Court, the Supreme Court expresses no opinion, but the grant is confirmed for one league of land, to be taken within the southern, eastern and western boundaries mentioned therein, and the cause is remitted that this Court may declare those boundaries from the evidence on file and such other evidence as may be produced before it.

As this Court had already declared the southern and only disputed boundary of the tract, the remanding of the cause, with the directions above

stated, appeared to this Court to be an instruction to review and reconsider its opinion on that point, and also to allow further evidence to be taken in relation to it. The cause having been originally heard, with the consent of both parties, and without any suggestion that further evidence was desired or obtainable, the application on the part of the United States for leave to take further testimony was resisted on the part of the claimant. It seemed, however, to the Court, that the directions of the Supreme Court clearly contemplated that such testimony should be taken, if offered, and that the obedience due from this Court to the mandate of its superior required it to permit either side to offer such further testimony as might be desired. Additional testimony has therefore been taken, and it now remains for the Court again to declare the boundaries as originally declared in its former decree, or differently, if on reconsideration that decree should appear to be erroneous, or if the additional testimony is such as to induce it to change its opinion.

In the opinion heretofore delivered, it was observed—"The evidence shows that the tract called Capitancillos is a valley lying along an *arroyo* or brook. On the southerly side extends a range of hills, running from east to west. At their eastern extremity, where they are intersected by the Alamitos, these hills attain considerable elevation, but they decline in height towards the west, where they reach and are turned by the Arroyo Seca. Behind this ridge or *cuchilla* the main *sierra* or mountain chain raises itself to a great height, and is separated from the ridge of Lomas Bajas, already spoken of, by the two streams mentioned. These streams rise at an inconsiderable distance from each other, and flowing in opposite directions, between the Sierra and Lomas Bajas, they turn the eastern and western extremities of the latter and debouch into the plain. Upon the slopes of the ridge of low hills, as well towards the valley on the north as towards the streams behind it on the south, the best or most permanent grazing is to be found, and in this ridge are situated the valuable quicksilver mines, the existence of which gives to this inquiry its chief importance." To this description it may be added, that the range of low hills are not throughout their whole length entirely detached from the *sierra*, but are connected with it at one point by a spur or ridge running nearly at right angles to the general direction of the *sierra* and the *lomas*. This ridge is at its lowest point one thousand one hundred feet above the level of the valley. The height of the Almaden Peak at the eastern extremity of the *lomas* is about one thousand five hundred feet above the level of the valley, but the *lomas* as they extend towards the west diminish in height, and are separated by various depressions, which permit easy access from the valley on the north to the Arroyo Seca at the base of the *sierra*. The average width of the ridge is one mile and four-tenths, and though at the Almaden Peak the descent

to the valley is abrupt, yet further to the west the diminished height of the hills, and the frequent depressions in the ridge, permit the valley to be reached at many points by easy and gentle declivities.

It is proper to add that after the proofs were submitted, the Judge, at the suggestion of the District Attorney, and accompanied by that officer and the representative of the claimant, visited the premises in order by personal inspection to become acquainted with its topography, and to be able more accurately to understand and to appreciate the testimony.

The question, then, to be determined is—What is the southern boundary designated in the grant?

The grant itself describes the land as bounded by the "Sierra;" but the question recurs—What is the natural object so designated? Is it the main chain to the south of the Lomas Bajas, or is it the Lomas Bajas themselves? The natural meaning of the term "Sierra" would seem to point to a great mountain chain, rather than to a range of hills parallel to it and separated from it, except at one point where the two ranges are connected by a narrow ridge or divide.

On the *diseño* presented by Larios, the *sierra* is described as the "Sierra del Encino." The very remarkable oak tree from which this name was evidently derived is situated on the main chain of mountains, and is a conspicuous object from all parts of the valley. The "Sierra" mentioned in the grant is that on which this tree is situated, as distinguished from the Lomas Bajas or lower ridge to the north of it. Or did he intend to include within it both ranges?

On the part of the claimant, numerous witnesses testify that the part of the Sierra Azul on which the oak tree is situated, is called Sierra del Encino, but that the low range of hills on the south of it, and separated from it by the creeks, was never known as the *sierra*. That they were, until the discovery of the mine, called Lomas Bajas, and subsequently "Las Lomas de Mina de Luis Chaboya," or "Cuchilla de la Mina de Chaboya." They describe the range known as the "Sierra" as rising from the streams, and the latter as running between the *sierra* and the ridge known as the Cuchilla de la Mina.

No less than nine witnesses, many of whom have lived in the neighborhood from twenty to forty years, testify to these facts, and to their testimony may be added that afforded by the *diseño* of Berreyessa, who at the time he presented it had been established in the *cañada* about nine years. On this map the two ranges of hills are distinctly delineated separated by a broad valley—far broader than the ravine actually existing. The lower range is inscribed "Lomas Bajas" while the upper is marked "Sierra Azul;" thus indicating that in 1842 and at the time when the petitions of both Larios and Berreyessa were before the Governor, and before the question had any im-

portance, a marked discrimination was made even in the rude *diseño* presented by the applicant between the ridge of Lomas Bajas and the *sierra* behind it.

Since the case has been remanded, the testimony of three witnesses, on this point, has been taken by the United States.

Antonio Suñol testifies that he never heard of the Sierra del Encino, nor of any range of hills called the "Cuchilla de la Mina de Luis Chaboya." That the mouth of the mine is in the "Sierra Azul." On his cross-examination he states that the ridge has been called "Lomas" or "Lomas Muertas de la Sierra Azul," and that after the mine was discovered "we *always* said the mine of Chaboya which is in the Sierra Azul."

José Maria Amador testifies that he does not know the "Sierra del Encino," nor "La Cuchilla de la Mina de Luis Chaboya." That the mine is situated on the "Lomas Bajas de la Sierra Azul." "It is in the Sierra Azul itself. The Sierra descends regularly; there is no breach nor separation in it. The mine is in a low *loma*. It is all known as the Sierra Azul, from the foot to the top of it."

José Romero testifies that he does not know the Sierra del Encino, nor the Cuchilla de la Mina de Luis Chaboya. That the name of the mountain on which the mine is situated is the "Sierra Azul."

On his cross-examination, in reply to an inquiry as to the name of the creek "which passes *between the Guadalupe mine and the Sierra*," he states its name to be the "El Arroyito del Corral del defunto Rafael." That he knows the *loma* where the Guadalupe mine is situated, and the *sierra* in which it is. That *loma* and *sierra* mean the same thing with us."

It is unnecessary to comment on the testimony of these witnesses, for the preponderance of evidence is clearly against the accuracy of their statements or their recollection.

If then we were to fix the southern boundary of this tract by calls of the grant alone, the evidence would leave no room for doubt that the grantor meant by the term "Sierra," in the grant, the lofty chain of mountains on which the oak tree is situated, and which being for the most part covered with chemisal, presents an azure hue at a distance; rather than the lower and parallel ridge, known as the Lomas Bajas or Cuchilla de la Mina, and which is for the most part covered with wild oats and suitable for grazing.

But the great difficulty in the case is presented by the *diseño* which accompanies the *expediente* of Justo Larios. On this *diseño* a single range of hills, inscribed "Sierra del Encino," is rudely delineated; from this range the two creeks are represented as debouching into the plain. If this *sierra* be the main Sierra, the Lomas Bajas are entirely omitted on the sketch. I have been much impressed with the very able and elaborate argument on this point submitted by the counsel who appeared for the United States, as

also by the testimony of many surveyors that, guided by this map alone, and crossing the valley in a southerly direction, they would stop or fix the southern limit of the tract at the foot of the first hills which rise from the valley—that is at the foot of the “Lomas Bajas.”

It is urged that the southern boundary, as shown by this *diseño*, is a line drawn at the foot of the range inscribed “Sierra del Encino,” and from one creek to the other, and not along the course of either. That if the range delineated was intended to represent the main *sierra*, the *arroyos*, and especially the *Seca*, would have been represented as running below or to the north of it, and not debouching from it; and that the Lomas Bajas would not have been omitted.

It may perhaps be admitted, that if we were to be guided by the *diseño* alone, it would not be easy to avoid the conclusion so earnestly and ingeniously pressed upon the Court in the brief submitted by the United States. The indications, however, afforded by the *diseño*, are not free from all ambiguity. On that sketch the two streams are represented as debouching from the hills, at points situated on a line nearly horizontal. The map of Lewis, exhibited on the part of the United States, shows that the Arroyo de los Alamitos, called on the Larios *diseño* Arroyo de los Capitancillos, issues from the foot-hills, or Lomas Bajas, at a point considerably to the north of that where the Arroyo Seca turns the western extremity of those hills and debouches into the plain. If a line then be drawn from the point where the Alamitos debouches, to that where the Seca turns the *lomas*, it would depart considerably from a horizontal line.

Again: The space inclosed between the creeks and the *sierra* is represented on the Larios *diseño* as not quite twice as long as it is broad.

But if the *sierra* on the *diseño* be taken to mean the Lomas Bajas, the map of Lewis shows that the tract between the Alamitos and the Seca on the east and west, and the Capitancillos and the foot of the *lomas* on the north and south, is about four times as long as it is broad.

Again: The Arroyo de los Capitancillos is represented on the Larios *diseño* as running towards the south-east diagonally across the valley, and then turning towards the south and running in a southerly direction perpendicularly to the valley, and nearly parallel to the Arroyo Seca for a considerable distance, until it reaches the *sierra*. But if the *sierra* which it reaches was intended to be the Lomas Bajas, it should be drawn as meeting them while running in a south-easterly or diagonal course. No part of its southerly or perpendicular course should be represented. The map of Lewis shows that the course of the stream from a point above or near the *hacienda* is delineated on the Larios *diseño* with tolerably accuracy, and that from that point it flows in a northerly direction perpendicularly to the valley for a considerable distance, and it is only after turning and leaving the Lomas Bajas that

it takes a direction diagonally across the valley. If, then, the red line drawn on Lewis' map as the southern boundary of that tract were drawn on the Larios *diseño* to the corresponding point of the Capitancillos, it would strike the latter not far from the letter "A," on that *diseño*, and that portion of the stream flowing in a north and south direction would be excluded.

Again: By looking on Lewis' map it will be seen that the Arroyo Seca, after running in a westerly direction along the base of the main *sierra*, and between it and the *lomas*, on reaching the end of the latter makes a sudden bend to the north and debouches into the valley at a point very near the base of the *sierra*; in other words, that at this point the flat or valley land extends nearly up to the base of the main *sierra*. If, then, a line be drawn from this point to the most southerly point of the Arroyo de los Alamitos or Capitancillos on the *diseño* of Larios, it would nearly coincide with the base of the *sierra* as contended for by the claimant; and would moreover be almost a straight line, and in this respect correspond with the indications of the *diseño* better than the very sinuous and irregular line which is found by following the base of the foot-hills which project into the valley. For it is to be observed that neither of the lines run by Lewis as the southern boundary of the tract follows what is claimed to be the boundary indicated by the *diseño*, viz., the base of the *lomas*; but run upon the sides of and over those hills at a considerable and apparently arbitrary distance from their base.

The slightest comparison between the *diseño* of Larios and the map of the country shows the former to be in many other respects incorrect and defective. The angle of the creeks at which the eastern boundary commences is not laid down, and the *lomita* which is also called for in the description of that line does not appear. It is, therefore, no very extravagant supposition that the Lomas Bajas were also omitted, particularly when the circumstances under which the *diseño* was drawn, as detailed by Petronillo Rios, are considered.

The foregoing observations, I think, warrant me in saying that the *diseño* of Larios does not afford those clear, certain, and unmistakable indications of the location of the southern boundary contended for by the counsel of the United States.

But in determining this question we are not at liberty to confine our attention to the Larios *diseño* alone.

The record shows that Justo Larios and Berreyessa had occupied different portions of the Cañada de los Capitancillos for many years before the date of their applications to the Governor for their respective grants. Between them a dispute as to their boundaries had arisen. Before the grant to either was issued, they appeared before José Z. Fernandez and agreed upon the line which should form their common boundary.

The description of this line, as given in the report of Fernandez, was inserted in both grants, and the line was marked by that officer on the *diseño* of Berreyessa "as being the more exact." In the grant to Larios the eastern boundary is described as the rancho of citizen Berreyessa, "which has for boundary the angle," etc., and in the grant to Berreyessa his western boundary is in like manner described as "the rancho of citizen Justo Larios, which has for its boundary the angle," etc. The eastern boundary of Justo Larios is thus indirectly described in his own grant, but directly in that of Berreyessa: while the western boundary of the latter is in like manner indirectly in his own grant, but directly in that of Larios. At the time of making the grant the Governor had probably before him both *diseños*, but certainly that of Berreyessa, on which the boundary line described by him in both grants had been marked by Fernandez for his information. In determining, therefore, the boundaries of Justo Larios, it seems to me not only proper but necessary to recur to the grant to Berreyessa, where alone the boundary of Justo Larios is described *as such*, and to the *diseño* of Berreyessa, upon which it was marked "as being more exact."

The Governor did not grant to Justo Larios the tract delineated on his *diseño*, viz., the land between the Arroyo Seca and that of Capitancillos, or a line to the east of the latter. He granted the land between the Arroyo Seca and a line drawn from the angle of the creeks, passing by the eastern "falda" of the "lomita in the center of the cañada to the sierra;" and this line was marked on the Berreyessa *diseño*, and at a considerable distance to the west of the Capitancillos or Alamitos.

In declaring this boundary, therefore, which was different from that solicited by Larios and indicated on his *diseño*, we are compelled to resort to the *diseño* of Berreyessa, which becomes *quoad hoc* the *diseño* to which the grant refers. On the Berreyessa *diseño* the two ranges of hills are rudely but unmistakably delineated. The first or most northern is inscribed "Lomas Bajas," while the higher ridge to the south is inscribed "Sierra Azul." The valley represented as lying between them, though its width is grossly exaggerated, yet serves to indicate by that very exaggeration the discrimination in the grantor's mind between the Sierra and the Lomas Bajas.

The dotted line commencing at the angle of the creeks is produced across the *lomas bajas*, across the intermediate valley, and the Alamitos represented as flowing through it to the base of the main *sierra*.

If this line be the eastern boundary of Justo Larios, as I think it must be considered, there can be no doubt as to the range of mountains intended by the term "Sierra" in his grant.

It is urged that Berreyessa had applied not only for the Cañada de los Capitancillos, but for all the hills which pertain to it; whereas Justo Larios

petitioned for a part of the *cañada* alone. That therefore in the grant to Berreyessa, and on his *diseño*, the line was extended so as to include the low hills solicited, but that such an extension ought not to be made in favor of Larios, who solicited the *cañada* alone.

This argument assumes that the term *canada* as used in these grants does not include the low hills at the foot of the *sierra*, but that it is bounded and limited by them. But the language of the petition of Berreyessa referred to seems to convey the contrary idea, for it speaks of the low hills "*which belong or pertain to the said cañada.*" He does not ask for the *cañada* and also a portion of the *sierra*, but for the *cañada* and the low hills pertaining to it. It is surely not reasonable to say that he considered and asked for the low hills as *not* belonging to or a part of the *canada* he solicited.

Again: The Governor, who with respect to Berreyessa, it is admitted, intended to grant the low hills, describes the tract granted to him "as a part of the place *known* as the Cañada de los Capitancillos," thus showing that in his apprehension at least, the place known as the Cañada de los Capitancillos did include the low hills solicited. In the grant to Larios it is described as the "place known by the name of Capitancillos"—the word *canada* being omitted in the grant though it is inserted in the decree of concession.

Again: The Governor, confessedly intending to include within the grant to Berreyessa the *lomas* or low hills, bounds his grant by the *sierra*. With both petitions and both *diseños* before him, and with his attention directed to the discrimination between the *sierra* and the low hills belonging to the *canada*, he nevertheless uses the same term *sierra* in describing the boundary of Larios. Can we infer that in the grant to Berreyessa he meant by this term one natural object, and in that to Larios another? I think not. The *sierra* referred to in both grants must be the same, and as that intended in the Berreyessa grant is unmistakable, we are enabled to fix with corresponding certainty the *sierra* referred to in the grant to Justo Larios.

I have given to this case much attention. I have endeavored to decide it uninfluenced by the previous opinion of this Court. Upon the best consideration I have been able to give to the questions involved, I have not been able to discover that that opinion was erroneous.

The remaining point to be considered is as to the form of the decree.

In the opinion of the Supreme Court, (20 How., 426) it is said: "The southern, western and eastern boundaries of the land granted to Larios are well defined, and the objects exist by which those limits can be ascertained. There is no call in the grant for a northern boundary, nor is there any reference to the *diseño* for any natural object, or other descriptive call to ascertain it. The grant itself furnishes no other criterion for determining that boundary than the limitation as expressed in the third condition. * * If the limitation of quantity had not been so explicitly declared, it might have



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been proper to have referred to the petition and *diseño*, or to have inquired if the name Capitancillos had any significance as connected with the limits of the tract, in order to give effect to the grant. But there is no necessity for additional inquiries. The grant is not affected by any ambiguity. * * The grant to Larios is for one league of land, to be taken within the southern, eastern and western boundaries designated therein, and which is to be located at the election of the grantee or his assigns, under the restrictions established for the survey and location of private land claims in California by the Executive Department of this Government."

The District Court is there directed to declare the external boundaries designated in the grant.

From the foregoing it is, I think, evident that the Supreme Court considered the southern, western, and eastern boundaries were alone designated in the grant, and that as the limitation of quantity was explicit, and there was no ambiguity in the grant, the northern boundary was to be determined by quantity alone; and that it was "not authorized to depart from the grant to obtain evidence to contradict, vary, or limit its import."

When, therefore, this Court has, pursuant to the directions of the Supreme Court, declared those three external boundaries, it has declared "the southern, western, and eastern boundaries of the land granted to Larios," and the remaining boundary is to be ascertained by quantity.

It is urged on the part of the United States that the league is to be taken within the three boundaries named, but it is not of necessity bounded by them; that its location within them is to be subject to the restrictions established by the executive; and that the northern boundary of the league is to be determined by the northern boundary of the tract within which it is to be located.

The Supreme Court undoubtedly says that the league is to be located *within* the three boundaries mentioned. But a reference to the preceding part of the opinion dispels any doubt which might be suggested by this expression.

It is said unequivocally, that the southern, western, and eastern boundaries of the *land granted to Larios*—not of the tract within which the league granted to him is to be taken—are well defined, and the Supreme Court explicitly declares that the northern boundary is to be determined by limitation of quantity alone. "*The grant itself furnishes no other evidence for determining that boundary than the limitation of quantity as expressed in the third condition.*" This is a controlling condition in the grant;" and they add that no additional inquiries to ascertain that boundary (the grant being free from ambiguity) are necessary or authorized by law.

It seems to me that the import of this language is unmistakable, and the land granted to Larios must be decreed by this Court to be but one league of land, bounded by three external boundaries mentioned in the grant, as the same are ascertained and declared in this opinion. The fourth or northern

boundary to be ascertained by quantity, and to be run at the election of the grantee or his assigns, under the restrictions established for the location and survey of private land claims in California, by the Executive Department of the United States.

The following is a list of land claims connected with Santa Clara county presented to the Commission, pursuant to the provisions of the Act of Congress of March 3, 1851, entitled, "An Act to ascertain and settle the Private Land Claims in the State of California:"—

Bernard Murphy, claimant for Las Uvas, three square leagues, granted June 14, 1842, by Juan B. Alvarado to Lorenzo Pineda; claim filed January 22, 1852, confirmed by the Commission September 19, 1854, and by the District Court January 14, 1856; containing 11,079.93 acres.

Robert F. Stockton, claimant for Potrero de Santa Clara, one square league, granted February 29, 1844, by Manuel Micheltorena to James Alexander Forbes; claim filed January 24, 1852, confirmed by the Commission November 15, 1853, and by the District Court October 29, 1855; containing 1,939.03 acres.

Juan Miguel Anzar and Manuel Larios, claimants for Santa Ana, one square league, and Quien Sabe, six square leagues, granted April 9, 1839, by Juan B. Alvarado to Manuel Larios and Juan Anzar; claim filed February 6, 1852, confirmed by the Commission November 7, 1854, by the District Court December 11, 1856, and appeal dismissed June 4, 1857; 48,822.60 acres. Patented.

Daniel and Bernard Murphy and James and Martin Murphy, claimants for San Francisco de Las Llagas, six square leagues, granted February 3, 1834, by José Figueroa to Carlos Castro; claim filed February 9, 1852, confirmed by the Commission August 22, 1854, by the District Court October 22, 1855, and appeal dismissed November 24, 1856; containing 22,979.66 acres.

Maximo Martinez, claimant for El Corte de Madera, two square leagues, granted May 1, 1844, by Manuel Micheltorena to Maximo Martinez; claim filed February 12, 1852, confirmed by the Commission February 28, 1853, by the District Court September 10, 1855, and appeal dismissed April 2, 1857; containing 13,316.05 acres. Patented.

Bernard Murphy, claimant for La Polka, one square league, granted January 19, 1833, by José Figueroa to Ysabel Ortega; claim filed February 17, 1852, confirmed by the Commission August 15, 1854, by the District Court January 14, 1856, and appeal dismissed January 18, 1856; containing 4,166.78 acres.

Antonio and Faustin German, claimants for Juristac, one square league, granted October 22, 1835, to A. and F. German; claim filed February 21,

1852, confirmed by the Commission December 18, 1852, by the District Court June 7, 1855, and appeal dismissed April 28, 1857; containing 4,482.41 acres.

Julian and Fernando, sons of Santos, a neophyte, claimants for Rincon del Alisal, 600 varas, granted December 28, 1844, by José Maria del Ray (priest) to Santos and Sons; claim filed February 27, 1852, rejected by the Commission November 21, 1854, and for failure of prosecution appeal dismissed by the District Court April 21, 1856.

José de Jesus Vallejo, claimant for Arroyo del Alameda, 1000 varas square, granted December 30, 1840, by Manuel Jimeno to J. de Jesus Vallejo; claim filed March 2, 1852, and rejected by the Commission October 18, 1853.

Martin Murphy, claimant for Pastoria de las Borregas, 3,207 $\frac{1}{4}$ acres, granted January 15, 1842, by Juan B. Alvarado to Francisco Estrada; claim filed March 3, 1852, confirmed by the Commission January 24, 1854, by the District Court October 17, 1856, and appeal dismissed November 18, 1856; containing 4,894.35 acres.

Antonio Chaboya, claimant for Yerba Buena or Socayre, granted November 5, 1833, by José Figueroa to A. Chaboya; claim filed March 8, 1852, confirmed by the Commission October 17, 1854, by the District Court January 21, 1858, and appeal dismissed October 8, 1858; containing 2,342.64 acres. Patented.

Bernard Murphy, claiming for Ojo de Agua de la Coché, two square leagues, granted August 4, 1835, by José Figueroa to Juan Maria Hernandez; claim filed March 9, 1852, confirmed by the Commission February 21, 1853, by the District Court January 18, 1856, and appeal dismissed November 18, 1856; containing 8,927.10 acres.

Jacob D. Hoppe, claimant for Ulistac, one-half square league, granted May 19, 1845, by Pio Pico to Marcelo Pio and Cristoval; claim filed March 19, 1852, confirmed by the Commission May 8, 1855, by the District Court March 2, 1857, and appeal dismissed April 16, 1857; containing 2,401.32 acres.

Quintin Ortega, *et al.*, claimants for San Isidro, one square league, granted June 3, 1833, by José Figueroa to Quintin Ortega, *et al.*; claim filed March 23, 1852, confirmed by the Commission September 19, 1854, and by the District Court June 3, 1856; containing 4,438.70 acres.

Juana Briones, claimant for La Purisima Concepcion, one square league, granted June 30 1840, by Juan B Alvarado to José Gorgonio and José Ramon; claim filed March 23, 1852, confirmed by the Commission April 11, 1854, by the District Court April 17, 1856, and appeal dismissed December 24, 1856; containing 4,436.74 acres.

Robert Walkinshaw, claimant for Posolomi, including El Posito de las

Animas, 3,042 acres, granted February 14, 1844, by Juan B. Alvarado and Manuel Micheltorena to Lope Iñigo; claim filed March 23, 1852, confirmed by the Commission November 20, 1855, and appeal dismissed February 16, 1857; containing 3, 391.90 acres.

José Maria Alviso, claimant for Milpitas, one square league, granted September 23, 1835, by José Castro to J. M. Alviso; claim filed March 30, 1852, confirmed by the Commission March 14, 1853, by the District Court March 3, 1856, and appeal dismissed December 5, 1856; containing 4,807 acres.

Antonia Higuera, *et al.*, heirs of José Higuera, claimants for Los Tularcitos, decided by boundaries, in Santa Clara and Alameda counties, granted October 4, 1821, by P. V. de Sola to José Higuera; claim filed April 1, 1852, confirmed by the Commission November 28, 1854, and appeal dismissed December 12, 1856; containing 4,394.35 acres.

Antonia Higuera, *et al.*, claimants for Llano del Abrevadero, described by boundaries, granted January 1, 1822, by P. V. de Sola to José Higuera; claim filed April 1, 1852, rejected by the Commission December 19, 1854, and appeal dismissed for failure of prosecution April 21, 1856.

José Maria Sanchez, claimant for Las Animas or Sitio de la Brea, granted August 17, 1802, by Marquinas to Mariano Castro, and August 7, 1835, by José Figueroa to Josefa Romero, widow of M. Castro; claim filed April 5, 1852, confirmed by the Commission February 14, 1854, by the District Court May 17, 1856, and appeal dismissed January 26, 1857; containing 24,066.24 acres.

Antonio Suñol, *et al.*, claimants for part of Los Coches, one-half square league, granted March 12, 1844, by Manuel Micheltorena to Roberto; claim filed April 6, 1852, confirmed by the Commission March 20, 1855, by the District Court April 1, 1856, and appeal dismissed December 24, 1856; containing 2,219.34 acres. Patented.

Valentin Cota, *et al.*, claimants for Rio de Santa Clara, granted May 22, 1837, by Juan B. Alvarado to Valentin Cota, *et al.*; claim filed May 10, 1852, rejected by the Commission October 31, 1854, and confirmed by the District Court June 4, 1857.

Maria Antonia Mesa, widow of Rafael Soto, claimant for Rincoñada del Arroyo de San Francisquito, one-half square league, granted February 16, 1841, by Juan B. Alvarado to M. A. Mesa; claim filed May 25, 1852, rejected by the Commission March 21, 1854, confirmed by the District Court November 26, 1855, and appeal dismissed April 16, 1857; containing 2,229.84 acres.

Liberata Ceseña Bull, *et al.*, heirs of William Fisher, claimants for La Laguna Seca, 4 square leagues, granted July 23, 1834, by José Figueroa to Juan Alvarez; claim filed May 27, 1852, confirmed by the Commission Sep-

tember 26, 1853, by the District Court July 17, 1855, and appeal dismissed January 14, 1857; containing 19,972.92 acres.

Mariano Castro, claimant for Rancho del Refugio or Pastoria de las Borregas, 2 square leagues, granted June 15, 1842, by Juan B. Alvarado to Francisco Estrada; claim filed May 31, 1852, confirmed by the Commission January 23, 1854, by the District Court November 23, 1859, and by the U. S. Supreme Court.

Encarnacion Mesa, *et al.*, claimants for San Antonio, one square league, granted March 24, 1839, by Juan B. Alvarado to Prado Mesa; claim filed June 11, 1852, confirmed by the Commission January 30, 1855, by the District Court March 10, 1856, and appeal dismissed March 13, 1857; containing 898.41 acres.

Francisco Berreyessa, *et al.*, heirs of G. Berreyessa, claimants for part of the Rincon de los Esteros, described by boundaries, granted February 10, 1838, by Juan B. Alvarado to Ygnacio Alviso; claim filed June 28, 1852, confirmed by the Commission December 26, 1854, by the District Court December 28, 1857, and appeal dismissed February 18, 1858.

Rafael Alviso, *et al.*, claimants for part of the Rincon de los Esteros, described by boundaries, granted February 10, 1838, by Juan B. Alvarado to Ygnacio Alviso; claim filed June 28, 1852, confirmed by the Commission December 26, 1854, by the District Court December 24, 1857, and appeal dismissed February 20, 1858; containing 2,200.19 acres.

John Roland and J. L. Hornsby, claimants for Los Huecos, nine square leagues, granted May 6, 1846, by Pio Pico to Luis Arenas and John Roland; claim filed July 6, 1852, and rejected by the Commission November 7, 1854.

The Mayor and Common Council of San José, claimants for land, described by boundaries, granted July 22, 1778, by Felipe de Neve to Pueblo of San José; claim filed July 14, 1852, confirmed by the Commission February 5, 1856, and by the District Court November 26, 1859.

Charles White and Isaac Branham, Trustees for C. White, *et al.*, claimants for lands granted by Felipe de Neve to the Mayor and Common Council of the City of San José; claim filed July 14, 1852, and rejected by the Commission February 5, 1856.

Ellen E. White, claimant for part of the Rincon de los Esteros, 2,000 acres, granted February 10, 1838, by Juan B. Alvarado to Ygnacio Alviso; claim filed July 19, 1852, confirmed by the Commission December 19, 1853, by the District Court December 28, 1857, and appeal dismissed February 9, 1858; containing 2,308.17 acres.

Domingo Peralta, claimant for Cañada del Corte de Madera, granted in 1833, by José Figueroa to D. Peralta and Maximo Martinez; claim filed

August 14, 1852, rejected by the Commission October 2, 1855, and confirmed by the District Court April 6, 1858.

Juan C. Galindo, claimant for Mission of Santa Clara, granted June 10, 1846, by José Maria del Ray (priest); claim filed August 30, 1852, rejected by the Commission June 12, 1855, and confirmed by the District Court October 21, 1857.

Charles M. Weber, claimant for Cañada de San Felipe y Las Animas, two square leagues, granted August 15, 1839, by Manuel Jimeno to Tomas Boun; claim filed September 11, 1852, confirmed by the Commission May 8, 1855, by the District Court January 21, 1857, and appeal dismissed March 4, 1858; containing 8,787.80 acres.

Charles Fossat, claimant for Los Capitancillos, three-fourths square league, granted September 1, 1842, by Juan B. Alvarado to Justo Larios; claim filed September 13, 1852, confirmed by the Commission February 28, 1854, by the District Court August 17, 1857, decree reversed by the U. S. Supreme Court and cause remanded, 20 Howard, 413, on decision of U. S. Supreme Court on the survey, 21 Howard, 445; containing 3,360.48 acres.

Candelario Miramontes, claimant for Arroyo de los Pilarcitos, one square league, granted January 2, 1841, by Juan B. Alvarado to C. Miramontes; claim filed September 22, 1852, confirmed by the Commission February 6, 1855, by the District Court February 16, 1857, and appeal dismissed March 21, 1857; containing 4,424.12 acres.

Andres Castellero, claimant for the quicksilver mine New Almaden, formerly called Santa Clara, discovered by him in 1845, with two leagues of land granted to him by the President of Mexico, May 23, 1846. Possession of the mine was given by the Alcalde, Antonio Maria Pico, December 13, 1845, with three thousand varas of land in all directions from the mouth of the mine. Claim filed September 30, 1852. The Commission, January 8, 1856, confirmed the grant of three thousand varas, and rejected all other claims. On the ground of fraud, the United States, October 29, 1858, obtained an injunction from the United States Circuit Court to stop the working of the mine. On January 8, 1861, the District Court rejected all claims to land, confirmed the mining rights, with seven pertinencias for mining purposes; and all shadow of fraud having been dispelled, the injunction was dissolved, January 26, 1861. [The pertinencia varies from one hundred and twelve and one-half to two hundred varas square, according to the inclination of the vein.]

Sebastian Peralta and José Hernandez, claimants for Rincoñada de los Gatos, one and one-half square leagues, granted May 21, 1840, by Juan B. Alvarado to S. Peralta and J. Hernandez; claim filed October 9, 1852, confirmed by the Commission August 8, 1854, by the District Court March

10, 1856, and appeal dismissed March 13, 1856; containing 6,631.44 acres. Patented.

Maria L. B. Berreyessa *et al.*, claimants for San Vicente, one square league, granted August 20, 1842, by Juan B. Alvarado to José R. Berreyessa; claim filed December 30, 1852, confirmed by the Commission July 3, 1855, by the District Court March 13, 1857, and decree affirmed by the U. S. Supreme Court, in 23 Howard, 499; containing 4,438.36 acres.

Augustin Bernal, claimant for Santa Teresa, one square league, granted July 11, 1834, by José Figueroa to Joaquin Bernal; claim filed January 3, 1853, confirmed by the Commission September 5, 1854, by the District Court August 11, 1856, and appeal dismissed November 2, 1858; containing 4,460.03 acres.

James Enright, claimant for two thousand varas square, granted January 6, 1845, by Manuel Micheltorena to Francisco Garcia; claim filed January 17, 1853, confirmed by the Commission August 8, 1854, by the District Court April 26, 1858, and by the U. S. Supreme Court; containing 710.14 acres.

Barlecia Bernal, claimant for Embarcadero de Santa Clara, one thousand varas square, granted June 18, 1845, by Pio Pico to B. Bernal; claim filed January 17, 1853, confirmed by the Commission December 12, 1854, and by the District Court February 23, 1857.

José de Jesus Bernal *et al.*, claimants for Cañada de Pala, eight thousand by one thousand two hundred varas, granted August 9, 1839, by José Castro to J. de Jesus Bernal; claim filed February 24, 1853, confirmed by the Commission June 26, 1855, and appeal dismissed May 7, 1857; containing 15,714.10 acres.

Ellen White *et al.*, widow and heirs of Charles White, claimants for Pala, one square league, granted November 5, 1835, by José Castro to José Higuera; claim filed February 26, 1853, confirmed by the Commission December 19, 1854, by the District Court February 23, 1857, and appeal dismissed February 9, 1858; containing 4,454.08 acres.

Antonio Maria Osio, claimant for land near the Mission, granted June 23, 1846, by José Castro to A. M. Osio; claim filed February 28, 1853, rejected by the Commission February 6, 1855, and appeal dismissed for failure of prosecution April 21, 1856.

Maria Concepcion Valencia de Rodriguez *et al.*, claimants for San Francisquito, eight *suertes* of two hundred varas square each, granted May 1, 1839, by Juan B. Alvarado to Antonio Buelna; claim filed February 28, 1853, confirmed by the Commission November 28, 1854, by the District Court February 4, 1856, and appeal dismissed April 2, 1857; containing 2,250.98 acres.

Frederick E. Whiting, claimant for Las Animas, granted in 1802 by José Figueroa to Mariano Castro; claim filed February 28, 1853.

Joseph Sadoc Alemany, claimant, in behalf of the Christianized Indians, formerly connected with the Missions of Upper California: 1st. In behalf of the Indians of Santa Clara, under a grant by Manuel Micheltorena, June 10, 1844, for all the vacant lands of Santa Clara ungranted before that time. 2d. In behalf of the Indians for lands known as Las Gallinas, El Nacimiento and La Estrella, in San Luis Obispo county, under a grant of Manuel Micheltorena, July 16, 1844. 3d. In behalf of sixteen neophytes for small tracts of land, from one hundred to three hundred acres each, in the vicinity of the Mission of Santa Ynes, Santa Barbara county. 4th. And in behalf of the Indians generally, one square league in each of the twenty-one missions; claim filed February 28, 1853, rejected by the Commission December 31, 1855, appeal dismissed for failure of prosecution in the Northern District February 23, 1857, and in the Southern District December 22, 1857.

Francisco Arce, claimant for fifty by sixty varas, granted June 3, 1846, by Pio Pico, to F. Arce; claim filed March 1, 1853, confirmed by the Commission, June 12, 1855, and by the District Court, March 9, 1857.

Joaquin Higuera, claimant for Pala, one square league, granted November 5, 1835, by José Castro, to José Higuera; claim filed March 1, 1853, rejected by the Commission December 26, 1854, and appeal dismissed for failure of prosecution, April 21, 1856.

Henry C. Smith, claimant for one-fourth league, granted November 2, 1844, by Miguel Muro (priest), to Buenaventura, *et al.* (neophytes); claim filed March 1, 1853, rejected by the Commission March 27, 1855, and appeal dismissed for failure of prosecution, April 21, 1856.

José de Arnas, claimant for five square leagues of Santa Clara Mission, granted August 1, 1846, by José Castro, to J. de Arnas; claim filed March 2, 1853, rejected by the Commission April 24, 1855, and by the District Court February 11, 1856.

Rufina Castro *et al.*, claimant for Solis, granted by José Figueroa to Mariano Castro; claim filed March 2, 1853, rejected by the Commission December 4, 1855, and confirmed by the District Court May 1, 1856, and appeal dismissed March 24, 1857; containing 8,875.46 acres. Patented.

Narciso Bennett, claimant for one hundred and forty varas square, one solar, granted November 28, 1845, by Pio Pico, to N. Bennett; claim filed March 2, 1853, rejected by the Commission October 23, 1855, and appeal dismissed, for failure of prosecution, February 23, 1857.

William A. Dana, *et al.*, claimants for part of San Antonio, six thousand one hundred and two acres, granted March 24, 1839, by Juan B. Alvarado, to Juan Prado Mesa; claim filed March 2, 1853, rejected by the Commission July 10, 1855, confirmed by the District Court March 3, 1856, and appeal dismissed March 20, 1857; containing 3,451.89 acres. Patented.

William A. Dana *et al.*, claimants for part of San Antonio, two thousand five hundred and fifty-one acres, granted March 24, 1839, by Juan B. Alvarado, to Juan Prado Mesa; claim filed March 2, 1853, rejected by the Commission July 10, 1855, and by the District Court March 23, 1857.

James W. Weekes, claimant for part of San Antonio, three thousand and fifty-one acres, granted March 24, 1839, by Juan B. Alvarado, to Juan Prado Mesa; claim filed March 2, 1853, rejected by the Commission July 10, 1855, and appeal dismissed for failure of prosecution February 23, 1857.

Henry C. Curtis, claimant for part of San Antonio, five hundred acres, granted March 24, 1839, by Juan B. Alvarado, to Juan Prado Mesa; claim filed March 2, 1853, rejected by the Commission July 10, 1855, and by the District Court March 16, 1857.

William W. White, claimant for part of San Antonio, one hundred acres, granted March 24, 1839, by Juan B. Alvarado, to Juan Prado Mesa; claim filed March 2, 1853, rejected by the Commission July 10, 1855, and appeal dismissed for failure of prosecution February 23, 1857.

Mary S. Bennett, claimant for two tracts, one, one hundred and forty varas square, and the other, two thousand by one thousand varas, near the Mission, granted December, 1845, by Pio Pico, to Narciso Bennett; claim filed March 2, 1853, confirmed by the Commission July 10, 1855, by the District Court February 28, 1857, and appeal dismissed April 14, 1857; containing 358.51 acres.

J. W. Redman, *et al.*, claimants for orchard of Santa Clara, ten acres, granted June 30, 1846, to Benito Dias, Juan Castañeda, and Luis Arenas; claim filed March 2, 1853, rejected by the Commission, December 18, 1855, and by the District Court, May 21, 1858.

Guadalupe Mining Company, claimant for part of Cañada de los Capitanillos, described by boundaries, granted September 1, 1842, by Juan B. Alvarado, to Justo Larios; claim filed March 1, 1853, confirmed by the Commission, May 2, 1854, and by the District Court, August 17, 1857.

Martin Murphy, Sr., claimant for part of Las Animas, one-eighth of twelve square leagues, granted August 17, 1802, by Marquina, and August 7, 1835, by José Figueroa to Mariano Castro; claim filed March 2, 1853, and discontinued April 3, 1855.

Clement Pinaud *et al.*, claimants for garden of San Cayetano, one thousand by two hundred varas, granted August, 1845, by Pio Pico to Juan B. Alvarado; claim filed March 2, 1853, rejected by the Commission February 8, 1855, and by the District Court October 2, 1860.

Thomas O. Larkin, claimant for Mission Santa Clara orchard, fifteen acres granted August 30, 1846, by Pio Pico, to Juan Castañeda, Luis Arenas

and Benito Dias; claim filed March 2, 1853, rejected by the Commission December 18, 1855, and by the District Court May 21, 1858.

Nicolas Berreyessa, claimant for Las Milpitas, under a decree signed by Pedro Chaboya, first Alcalde of the Ayuntamiento of San José, of May 6, 1834, to N. Berreyessa; claim filed March 2, 1853, and rejected by the Commission October 16, 1855.

Martin Murphy, claimant for three hundred acres, granted by Manuel Micheltorena, to Shelton; claim filed March 2, 1853, and rejected by the Commission March 27, 1855. Discontinued.

Widow and heirs of Anastasio Chabolla, claimants for three *suertes* in San José, granted in 1785, by authority of the King of Spain, to Mazario Laez, claim filed March 2, 1853, rejected by the Commission January 30, 1855, and claim dismissed by the District Court, for failure of prosecution, on January 8, 1858.

Barcelia Bernal, claimant for Embarcadero de Santa Clara, one thousand varas square, granted June 18, 1848, by Pio Pico, to B. Bernal; claim filed March 2, 1853. Discontinued.

Barcelia Bernal, claimant for one square league, granted in 1845, or 1846, by the Governor of California, to B. Bernal, *et al.*; claim filed March 2, 1853, and rejected by the Commission March 6, 1855.

José Maria Castañares, claimant for Arroyo de los Calsoncillos, eleven square leagues, granted December 28, 1843, by Manuel Micheltorena, to J. M. Castañares; claim filed March 2, 1853, rejected by the Commission April 24, 1855, and appeal dismissed for failure of prosecution February 12, 1857.

This chapter has been inserted mainly as a place of reference in respect to the grants made to the early residents of the County of Santa Clara. It is hoped that the whole taken together will form matter of not an uninteresting nature, and that a perusal will have repaid the reader.



THE HOMICIDES OF SANTA CLARA COUNTY.

HOMICIDES OF MRS. FIELDING WILLS—ALEXANDER W. MCCLURE—LOUIS LEMERCIER—KELLY—
 AUGUSTIN C. HALL—A CHILENIAN—FRANCISCO PERALTA—PEDRO ARAVENA—DOLORES
 ARAYA—JOSÉ GALINDO—A MEXICAN—MRS. OLIVE KNAPP—LOUIS PVELAGLADO—FRAN-
 CIS BERREYESSA—JOSÉ, A MEXICAN—PAUL C. SHORE—SAMUEL J. CROSBY—L. POSEY
 FERGUSON—FRANCISCO HERNANDEZ—RAFAEL ORTEZ—WILLIAM BLANCH—JOHN BEE—
 SAMUEL PHILLIPS—MRS. KELLY—PEDRO, A SPANIARD—PATRICIO AMADOR—MARTIN J.
 ROOHAN—PETER VEUVE—JOSÉ M. DE POLYCARP—JOSEPH HENMAN—JOHN CHURCHILL—
 JAMES SAXTON—JAMES SANTINA—VAN CLEAVE—OSABUE—CHARLES CHEENY—JOSEPH
 PELLIGRINI—JOSÉ RODRIGUEZ—BERNABA ZUNAGA—GESSLER—HENDRICKS—JOSÉ, A
 SPANIARD—THOMAS WALKER—DAVID PATTON—WILLIAM COOPER—HARRY LOVE—
 JOHN HAUSER—A CHINESE—BECKWITH KELLY—TAYLOR HALE—ARTHUR PARSONS—
 POTTET—CONRATERA.

A LOVE of crime is a fatality which would appear to follow the Indian into his partial civilization, the Mexican-Spaniard from his native clime, the Anglo-Saxon from his far-off land, and the Mongolian from his Celestial Empire. All would seem lost to the natural cry which springs alike from instinct and religion, that "whoso sheddeth man's blood, by man shall his blood be shed," for dread crimes are not committed by the violent and passionate alone; we might almost say, would that they were, then would the chilling deed of horrid murder be confined to the crouching assassin, and the hellish deed of suicide be the work of the insane. But human nature is various and confusing in its many failings; temper will outstrip discretion, a blow will be struck, a shot fired and life will be sacrificed, and though escape of present punishment may be effected, happily it is assured that a dread fear of detection in the future, will haunt the criminal, for it is truly said, "conscience makes cowards of us all."

The following notices have been gleaned chiefly from the local papers of the county; unfortunately we have been unable to trace the punishments meted out in every case:—

MURDER OF MRS. FIELDING WILLS.—The husband of the deceased, who lived on the side of the mountain, about five miles east of San José, on March 6, 1854, came into the city on business, and on his return home towards night, found that his wife had been brutally murdered during his absence. The corpse was sitting at the door-way, with the key of the door in her hand—many knife wounds had been inflicted upon the head, neck, face, side and hands of the unfortunate woman; and on the arrival of her husband at home she was quite dead. The circumstances detailed and elicited at the inquest

tended to fasten suspicion upon a Spaniard or Mexican, named Ramon, who had effected a temporary escape. Mrs. Elizabeth Wills was but twenty-two years of age. On the night of the 2d April, however, Ramon came from his hiding-place in the mountains and sought the ranch of Ricardo Higuera, where he was seen standing by a fence, and when called upon attempted to conceal himself by stooping. Higuera then fired at him, when the bandit spoke and his voice was recognized as that of the murderer of Mrs. Wills. Higuera again loaded his gun, and deliberately shot the murderer through the head, killing him instantly. On the following morning Señor Higuera came into San José and revealed to Justice O. H. Allen the foregoing details, who proceeded to the spot; the body of the bandit was brought into the city and was recognized by sundry witnesses, both Spanish and American, as the person whom public opinion, from various strong circumstantial facts, had fixed upon as the murderer of Mrs. Wills. His name was Rafael Duarte. The inquest, held over the body by Justice Allen, found upon the testimony, that Duarte came by his death from two gun-shot wounds fired by Ricardo Higuera; that he was the same individual so much sought after as the murderer of Mrs. Wills, and the perpetrator of other high crimes; and that he was shot by Higuera under the conviction that it was his duty to rid the world of such a monster.

MURDER OF ALEXANDER W. MCCLURE.—In the latter end of the month of June, 1854, Alexander W. McClure, a well-known and highly esteemed citizen of Santa Clara county, left his residence, near the Laguna Seca about ten miles south of San José, mounted on his favorite mule and equipped for hunting, of which he was passionately fond. Towards nightfall a neighbor met him in the woods about four miles from home, and on parting McClure said that he would cross a low range of hills near by, in the expectation of seeing some deer, before he returned. This was the last that was seen of him alive. His continued absence from home alarmed his friends, and, at length, after the lapse of a week, the painful impression forced itself upon the public mind that McClure had met his death, either in a conflict with a bear, or at the hands of an assassin. A party was organized in San José to search for the body, and on Sunday, July 2d, the remains of the unfortunate McClure were found in a gulch about two miles from his house, in a state of advanced decomposition, much of the flesh having fallen from the bones; a bullet had perforated the back, and twenty knife stabs were counted upon his remains. The appearances around bore evidence that the body had been dragged about a hundred and fifty yards to the place where it was found. Suspicion attached to one Demasio Berreyessa, who was hanged to a tree by the Vigilance Committee on the night of Friday, July 22, 1854.

MURDER OF LOUIS LEMERCIER.—Louis Lemercier, a Frenchman, who

kept a grocery eighteen miles south of San José, at the place called the Ojo de los Coches, was murdered on the night of Wednesday, March 14, 1855, at his house. Twenty-one stabs in the throat, breast, back and body, and two pistol shots were inflicted upon the unfortunate man, by his assassins. The murderers carried off three hundred and fifty dollars in money, which the deceased had buried in the ground, under the counter of his store, and two boxes of cigars, a silver watch and some clothing. Suspicion rested on three Spaniards.

LYNCHING OF KELLY AT GILROY—On Saturday, May 12, 1855, Kelly, an Irishman and a desperate offender was hanged by the people of Gilroy. A short time before, in company with other robbers, he had stolen four horses in that neighborhood, and was arrested in Tuolumne county, by the Deputy Sheriff of Stanislaus. Returning through Gilroy, Kelly pointed out to Deputy Sheriff Clark, a Mexican, as another escaped convict, who was arrested. While this was being effected the people of Gilroy, on seeing Kelly took him and hanged him. There was no excitement. The people went deliberately to work, in view of the insecurity of prisons, the frequent depredations upon property and the almost immunity of crime, and took justice into their own hands.

MURDER OF AUGUSTIN C. HALL.—This young man, formerly of Danville, Vermont, was found barbarously murdered in his own house on the New Almaden road, about seven miles from San José. There were several things about the horrible act, that indicated on the part of the perpetrators the coolest deliberation and the most diabolical malignity. There was no appearance outside the house that horrid violence had been perpetrated there. The horse of the murdered man grazed around the door, and the neighbors whose dwellings were in sight, seeing the horse for days, unattended, began at last to wonder why the master did not appear at the door. Apprehension of sickness, or some other cause, induced one of them to approach the dwelling, when the first suspicious circumstance that attracted attention, was to find the door fastened on the outside. On opening it the murdered man was seen lying in bed, carefully covered with the clothing, as if in sleep, but a horrible stench filled the room. At the Coroner's inquest held on the 27th April, no facts were elicited, calculated to fasten suspicion upon any one. Afterwards, however, certain facts came to light, and a resident of San José was apprehended but was acquitted after a trial lasting a week, the verdict being sustained by public sentiment as it was by the evidence.

HOMICIDE OF A CHILENIAN, NAME UNKNOWN.—On the morning of Monday, July 9, 1855, Charles M. Weber of Stockton, being on a visit to San José, drove down with his carriage and two horses, to Mr. Fox's garden and nursery, about half-way between San José and Santa Clara; at the gate

Weber tied his horses to one of the trees on the border of the Alameda and entered the garden, and while enjoying a promenade through the beautiful walks, heard the rattling of carriage wheels, and looking up saw a Spaniard rapidly driving his carriage away in the direction of San José. On reaching the avenue Weber mounted a horse which he found tied to a tree, near by, which proved to be the property of a neighboring farmer, Mr. Morse, and made pursuit after the thief. At San José Weber got a fleet horse at Martin's Livery Stable, and, accompanied by several others, continued the pursuit. Learning from a person coming into the city, that the carriage and horses were seen on the New Almaden road, the party took that direction and discovered from the track, that the thief had attempted to pass over from the New Almaden, to the Monterey road, through a farm, but was prevented from reaching the latter road, on account of the gate being locked. On returning to the New Almaden road, a portion of the party stopped at a grocery, five miles from San José, and were there informed that the thief, with the carriage, had taken a drink and departed ten minutes before. Mr. Weber did not halt with the party, but hastening on, came up with the thief, at Worthington's, seven miles from San José, and called upon him repeatedly, in Spanish, to stop, which the felon disregarded; but, throwing the lines down attempted to jump from the carriage and escape. While in the act of doing so, Weber drew his revolver, and shot him through the shoulder. The man died some time after.

MURDER OF FRANCISCO PERALTA *alias* DON PANCHO.—On Sunday morning, September 16, 1855, about three o'clock Francisco Peralta, better known as Don Pancho, a Mexican gambler, for some years resident in San José was called out from the billiard saloon of Monsieur Detech, at the New Almaden mines, by a Mexican, supposed to be a miner, and was found about an hour afterwards, about daybreak, lying on some hay, in a dying state, with a large stab two inches in width in his breast. The unfortunate man uttered some unintelligible words, when first discovered, and died immediately afterwards. The murdered man was robbed of all the money he had in his possession as his pockets were turned inside out. The murderer was apprehended and found to be a Mexican named Gregorio Soberano. He was tried November 7, 1855, and sentenced to be executed December 14th.

MURDER OF PEDRO ARAVENA.—On Sunday, November 18, 1855, at the house of Ignacio Berreyessa, near the New Almaden mine, Santiago Berreyessa murdered Pedro Aravena, a Chilenian, under the following circumstances: Pedro had become enamored of the daughter of Ignacio Berreyessa, a young girl aged fourteen years, and meeting with opposition from the parents of the girl to a marriage, the young folks went to Alviso, and were there joined in the bonds of matrimony by a Justice of the Peace. All this happened

metime previously. In a short time the parents became reconciled to the marriage, and the young pair returned to the house of the father, Ignacio. On the above date, Santiago, the uncle of the girl, being a man of dark and malignant feelings, seeing Pedro sitting in the house, deliberately shot him twice with a pistol, producing death. It is said that the murdered man was entirely unsuspecting of harm, and was sitting in the house, the assassin firing at him through a window. Santiago, immediately on the perpetration of the deed, mounted his horse and fled.

MURDER OF DOLORES ARAYA.—On the night of Monday, January 21, 1856, Dolores Araya, a native of Chile, was shot by a Mexican named Guadalupe Araya, at the New Almaden mines, the wound proving almost instantly fatal. The murderer escaped. The murdered man was engaged in a quarrel with Jesus Figueroa, when the assassin, without provocation, came up and shot him dead.

KILLING OF JOSÉ GALINDO.—José Galindo, a desperate character, under indictment for grand larceny, was arrested by the Sheriff on the night of Saturday, January 19, 1856, under the following circumstances: The Sheriff, having obtained information that Galindo would be at the house of his brother that night, accompanied by a deputy and several others as a *posse*, went to the house where the accused was concealed, and surrounded it with armed men. The inmates were informed of the presence of the Sheriff, who demanded admittance, and while some one within was opening the front door, José Galindo opened the back door and ran out, firing a pistol shot, as he passed, at the person on guard, which was returned, but owing to the darkness without injury to either. Galindo then ran towards the Catholic church, and hid himself in the yard of a little brick house near by. His retreat was discovered, and once more he ran, firing as he went, until he had exhausted the six shots in his revolver, but without injury to his pursuers; the Sheriff's party also fired repeatedly at Galindo, and one ball took effect in his thigh, but without inducing him to surrender; on the contrary he became the more desperate, and after all his shots were exhausted he drew a saber and continued to resist the officers and their assistants. He was then shot down with a shot-gun loaded with fine shot, which took effect in the small of his back and left arm. He was then captured and confined in jail. He died from the effects of his wounds, February 10, 1856, at the house of Señor Pico.

MURDER OF A MEXICAN.—On Sunday, June 29, 1856, the brother of the overseer of Mexican miners at the New Almaden mine, was killed by an Indian on Cook's ranch. The Indian was quarreling with an Irishman, when the Mexican said to him, "Why do you abuse that man? He don't understand a word you say;" whereupon the Indian angrily answered, "Do you take

it up?" and plunged a knife into the Mexican. The murderer was apprehended.

MURDER OF MRS. OLIVE KNAPP.—The facts of this case are these: On the morning of Sunday, August 3, 1856, at about eleven o'clock, Mrs. Olive M. Knapp, wife of Nathaniel Knapp, was found murdered, lying under the shade of a tree in the back yard of her residence, situated about two miles southwest of San José. A deep cut from ear to ear, upon the back of the neck, completely severed the cords; a long cut on the side of the neck, a cut across the lower lip, and a knife-stab in the breast-bone, attest with what diabolical malignity the monster completed his hellish purpose. An inquest was held, the jury finding that she was murdered by persons unknown. The husband of the murdered woman was arrested on suspicion, but was afterwards discharged on his own recognizance to appear at the next term of Court.

MURDER OF LOUIS PVELGALADO.—A jury impaneled by the Coroner to inquire into the death of Louis Pvelgalado, at Santa Clara, on August 13, 1856, found that the deceased came to his death by a knife-stab in the left breast, inflicted by a man named Lazaraga. An old grudge had existed between the parties, who were Mexicans residing in San Francisco, and accidentally met at Santa Clara on a Saint's Day. The murderer escaped.

MURDER OF FRANCISCO BERREYESSA.—Francisco Berreyessa was mortally stabbed at his house near the New Almaden mines, on Saturday night, November 29, 1856, by Calisto Lanra, a Chileno, and died the next morning at eight o'clock. Calisto was on friendly terms with the family of Berreyessa, and often visited the house; he came there on the evening of the 29th with Berreyessa. After partaking of some cakes, Calisto started as if he intended leaving the house, but in fact concealed himself under the bed occupied by Francisco Berreyessa and his wife. There were several women in the house, some of whom knew of his concealment there. Berreyessa's wife also discovered him, and informed her husband that Calisto was under the bed. The husband ordered him to come out, and then caught him by the hair of the head and pulled him out. Calisto, on arising to his feet, drew a knife and stabbed Berreyessa, from which wound he died. The slayer escaped.

MURDER OF A MEXICAN NAMED JOSÉ.—A Mexican from Sonora named José was murdered on Saturday night, June 27, 1857, on the road leading from Alviso to San José, and was found next morning in a vacant house on the roadside near Lick's Mills. The assassin had inflicted five or six knife stabs upon the body of the murdered man, one of which penetrated the heart.

KILLING OF PAUL C. SHORE.—This tragedy was enacted in Fremont town-



Massey Thomas

ship on January 6, 1859. It would appear from the records that one Thomas Seals and a family named Shore, were joint proprietors of a certain portion of the Rancho Rincoñada de San Francisquito. Each had bought out an interest in the ranch—Seals holding several shares and the Shores had bought out but one heir, the property remaining undivided between them. But Seals had gone onto the premises, had improved and inclosed a large body of the land, a thousand acres or more, and was in the enjoyment of it—in fact had appropriated to his own use land that was common property. On the date mentioned above, Richard E., and Paul C. Shore, assisted by a youth named Lewis, were putting up a house on these lands, when Thomas Seals and S. J. Crosby came up and an altercation ensued between Seals and Richard Shore. In the meantime there appeared on the scene one Alexander Robb. Continuing his work, Richard Shore stepped onto a bench when he was pitched off by Seals. Shore then ordered him to keep back when Seals drew a pistol half-way out of his pocket. Near by Paul C. Shore was standing leaning on the handle of an ax. Seeing him, Seals ordered him to put down the ax in very rough language, which was not complied with, when Seals made for him with the drawn pistol, he received a blow from the ax and dropped his pistol, for which a grab was made by Crosby and Robb, Seals then drew another weapon, and firing, it took effect, the victim never afterwards speaking. Seals then came to San José and gave himself up to the authorities, while Crosby and Robb were apprehended as accessories. At the session of the Grand Jury which sat in the month of March true Bills were found against Seals and Robb, but that against Crosby was ignored. The trial of Seals took place before the Third District Court, sitting at San Leandro, Alameda county, April 11, 1859, when the jury disagreed. A new trial was ordered for April 18th, when after forty-six hours' deliberation a verdict of not guilty was rendered April 24th.

KILLING OF SAMUEL J. CROSBY.—The killing of Crosby grew out of the case last mentioned. During the session of the District Court, on Monday, March 28, 1859, the case of *The People vs. Thomas Seals and Alexander Robb*, indicted for the murder of Paul C. Shore, being set for the following day, an indiscriminate shooting affray took place, which resulted in the death of Samuel J. Crosby, the Coroner's jury finding that the deceased came by his death by three or more shots from pistols, by the hand of Thomas Shore or Richard Shore.

KILLING OF L. POSEY FERGUSON.—While the sad tragedy last mentioned was being played without the Court House, one of a nature still more painful was being enacted within. L. Posey Fergusson, a miner from Grass Valley, who came to San José to accompany an old friend home near New Madrid, Missouri, had entered the court-room and was listening to the

proceedings, when firing was heard. Remarking, "What does that mean," he went towards the door and arose on a bench, when a ball from the outside, after passing through planking three inches and a quarter in thickness, struck him on the breast, when he cried out to a friend named Steward standing by, "John, I am a dead man." He stepped back a few paces, then sank on a bench, and lived only half an hour after. The jury found that the shot had been fired by the hand of Samuel J. Crosby, at certain persons standing in front of the Court House.

MURDER OF FRANCISCO HERNANDEZ.—On Sunday, March 27, 1859, as Francisco Hernandez was riding with his wife on horseback from Alviso to Milpitas, he was attacked by a Sonoran named Dionico Crijalvo. Hernandez got off his horse and picked up a piece of fence rail to defend himself from the assaults of Crijalvo, who was pressing upon him and driving him back. This occurred near the house of Messrs. Pratt and Barber, who seeing the whole affair rushed out to part the combatants. They took a large knife from Crijalvo, and finding Hernandez injured and bleeding freely carried him into their house, and then Pratt went in pursuit of Crijalvo, who fled toward Milpitas, but did not succeed in arresting him. The wounded man was afterwards taken to the house of J. G. Unedias, on the Alviso rancho, where he died.

MURDER OF RAFAEL ORTEZ.—On Tuesday, November 1, 1859, an Indian named Fermin killed a Mexican named Rafael Ortez, in Gilroy township. Ortez was indebted to the Indian for money lent, and on meeting each other the Indian demanded his money. Ortez replied that he had not the money but as soon as he sold his corn and paid off his hands for labor done, he would pay the debt to Fermin. The latter replied that he wanted the money then, but Ortez said he could not pay him at that time. "I will make you," said the Indian, and got off his horse. Ortez also dismounted, and the Indian then getting on his horse drew a pistol and shot the Mexican. Ortez on seeing the Indian draw a pistol, seized his foot, to which he hung, after being shot, until drawn a few yards, when his grasp loosened and he fell to the ground dead.

MURDER OF WILLIAM BLANCH.—William Blanch, an Englishman, was savagely murdered on Wednesday, May 16, 1860, while at labor in a field he was cultivating about a mile from San José. The perpetrator of the crime was an Indian named Salvador Garcia, who had been accused by the deceased of stealing a rope. The murderer was arrested, and found guilty November 2, 1860.

MURDER OF JOHN BEE.—On Monday, July 30, 1860, about four o'clock in the morning, during a festive meeting at the residence of Harry Bee, Felipe

Hernandez, a desperate character who had been already tried for one murder, and though convicted by one jury, was on a second trial acquitted, shot the son of his host, John Bee, a young man of twenty-one years of age, killing him instantly. The dispute arose about the ownership of a guitar. Hearing the report of a pistol, Harry Bee rushed into the room when he was shot in the thigh by another desperate man named Gonzalez. The limb was so much shattered as to render amputation necessary, so that by this act he has been rendered a cripple for life. Gonzalez was apprehended, but Hernandez escaped. He was afterwards captured, tried and sentenced to death but on the night preceding his execution murdered his jailer and once more freed himself, the deed being one of the most desperate on record.

KILLING OF SAMUEL PHILLIPS.—Samuel Phillips and his partner, a Mr. Nesbitt, attempted to open a banking game at the Enriquita mines on the evening of Saturday, August 3, 1861, when a general row occurred in which pistols and knives were freely used. Phillips was cut in the abdomen, from the effects of which he died the next day. A Spaniard was shot in the neck and killed instantly, and one or two others were seriously injured.

MURDER OF MRS. KELLY.—A woman, the wife of a man named Kelly, residing near Guadalupe, was found dead in her house on Tuesday, September 3, 1861. When discovered, her little child, nine months old, lay asleep by her side, literally covered with blood. The mother had received no fewer than thirteen stabs and cuts at the hands of the murderer. Her husband was away from home at the time. She had testified against a Spaniard in a suit for grand larceny about a year before, which resulted in his conviction and imprisonment. The term of his sentence having expired not long before, he was seen in the neighborhood, but since the murder was nowhere to be found.

KILLING OF PEDRO.—Henry Dietzman killed a Spaniard named Pedro on Sunday evening, August 24, 1862, near Santa Clara. The following are the circumstances: Pedro was on his way home about nine o'clock, on horseback. His road led through a corral occupied by Dietzman. He dismounted to let down the bars, and was leading his horse through when he was hailed by the former, who alleges that he thought the Spaniard was stealing a horse. Dietzman fired upon him, according to the story told by him, and Pedro threw up both his hands, but offered no resistance. He then fired again, when Pedro endeavored to get through the bars and escape. Dietzman then approached close to his victim and fired the remaining charge of his revolver, killing the man. Dietzman was examined before Judge Skinner on the 26th and discharged. He was, however, apprehended by the county authorities, and tried and found guilty of murder in the second degree, January 12, 1863, and on the 16th was sentenced to ten years' imprisonment in the State Prison.

MURDER OF PATRICIO AMADOR.—A Spaniard named Patricio Amador, aged about sixty years, was murdered by Angel Arrow, at Guadalupe, on Sunday, September 14, 1862. Amador was protecting a little girl from the base advances of the libertine and assassin Arrow, when the latter drew a knife and stabbed him in four places, causing his death. The murderer made good his escape.

MURDER OF MARTIN J. ROOHAN.—The account of this horrible deed is taken from the *Mercury* of October 30, 1862:—

"Felipe Hernandez, a prisoner confined in our county jail for murder, and sentenced to be executed on Friday last (October 24th) performed on the preceding evening one of the most daring deeds of desperation that it has ever fallen to our lot to record. Felipe is a native Mexican, about thirty years of age, rather fine looking, with a keen, piercing eye. He is about five feet eight inches in height, weighing not more than one hundred and fifty pounds, but evidently possessing the strength and agility of a tiger. The jailer, Martin J. Roohan, was a large, powerfully built man, sixty-three years of age, possessing immense strength, and cool, unflinching courage. He had had much experience in handling and managing desperadoes, and was possessed of unlimited confidence in his ability and nerve for any emergency.

"On the lower floor of the jail there are three large cells, opening into a corridor or hall, about six feet in width and perhaps thirty feet in length. The middle cell, in which Felipe was confined, is lined with boiler iron, and is otherwise made as secure as is deemed necessary to restrain the hardest cases. It is used exclusively for condemned prisoners, or such as are awaiting trial for capital offenses. This cell he occupied alone.

"On Friday morning (the 24th) while the Sheriff was in our office attending to some business, his deputy, Mr. Chapman, came in and informed him that he was unable to get into the jail, and wondered what had become of Roohan. Suspecting that something was wrong, in company with the Sheriff and two or three officers, we repaired immediately to the jail yard and soon effected an entrance. The outer door of the jail was closed, but not locked. The door leading to the corridor we found open. On passing through into the corridor we discovered the jailer lying on the floor, stiff in death, surrounded with all the ghastly evidences of a terrible struggle.

"In the other cells than that occupied by Felipe, there were a number of prisoners confined for lighter offenses, some half a dozen in each. The doors of the cells are latticed with iron bars, and whatever is transpiring in the corridor may be witnessed by the prisoners from within. Roohan usually had some one of the prisoners to assist him in the domestic duties of the jail. At about three o'clock on Thursday afternoon, as we learn from the testi-

mony of the prisoners at the Coroner's inquest, the jailer and his assistants brought in the dinner and placed it on the floor of the corridor, near the doors of the cells. It was the custom to feed Felipe first. Mr. Roohan unlocked the door and directed his attendant to pass in the food. As the latter stepped into the cell, Felipe, who had freed his hands in some way, with the quickness of thought dashed him aside, sprang upon and seized Roohan around the body, at the same time getting possession of the knife which the latter wore in a belt at his waist. Then commenced the fearful death struggle, in the presence of the other prisoners, who were unable to render either party the least assistance. The waiter, who is an imbecile old Mexican, shrank with terror to the end of the corridor. The jailer carried a revolver, also, in his belt, but Felipe hugged him so closely that he was unable to get at it. There were riveted upon the ankles of the prisoner at the time immense iron shackles, weighing one hundred pounds, and yet the other prisoners testify that they seemed of no apparent weight to him. He had wound them with cloth and strapped them to his limbs in a way to be of as little inconvenience as possible. With a knife in one hand at liberty and with the other firmly grasping the body of his victim, with everything, to gain and nothing to lose, he was a match for anything human. He applied the knife at first to the throat of his victim, inflicting frightful wounds. This brought the jailer to his knees. Struggling again to his feet, he put forth every effort to overpower his wily foe. But weakened from the blows already inflicted, he was unequal to the task. Felipe then stabbed him to the heart, and through the lungs, killing him almost instantly. He informed the other prisoners that if they gave any alarm they would share the same fate, and they knew he would fulfill his promise. The prisoners say he appeared perfectly cool, both at the time of the murder and afterwards. With the keys in his possession, he now had command of the jail. Unlocking one of the cells, in which there were five men, he thrust in the trembling Mexican waiter and again locked the door. Among the prisoners in this cell was a Chileno, in irons, who had been imprisoned the day before, for stabbing a man at Almaden. Felipe, after working about an hour to remove his irons, released this man, and they both together went into the jailer's private room, where they found files and old chisels necessary for their purpose. The task was a long and arduous one. The heavy shackles spoken of were secured to the ankles with half-inch bolts, riveted in the most substantial manner. The witnesses testify that it must have been near two o'clock in the morning when the filing and hammering ceased. The desperadoes then made their escape, taking with them two revolvers, and over eight hundred dollars, which Mr. Roohan was known to have in his possession."

Felipe was a most desperate character, and had been tried for capital

crimes several times; once for the killing of Carobine, at Alviso, when he was sentenced to the State Prison for life, but was pardoned out by Governor Weller, and was, at the time of the commission of this desperate deed, awaiting execution for the murder of John Bee, the circumstances of whose death are detailed above. While sentence for this crime was being passed upon him, he indifferently smoked a cigarette, and, up to within a few days of the time appointed for his execution, manifested the supremest unconcern to his fate. All of a sudden, however, he changed his tactics, and successfully played the penitent. His jailer found him on his knees, whenever he approached the cell, and it was with difficulty that he could be aroused to take his food. His cross was always before him, and he prayed with a perseverance that would have done credit to a saint. By these means he threw his jailer off his guard. It was for this reason also, that, when the Sheriff suggested the propriety of having some one to remain with him on the night preceding the execution, Mr. Roohan declared that there was not the least necessity for it—all was secure. As soon as the facts of the case became known to Sheriff Kennedy, every exertion to effect the recapture of the murderer was made, and a large reward offered. It was afterwards reported that Felipe Hernandez was killed near the Colorado river, in a quarrel with his companions.

MURDER OF PETER VEUVE—A stage-driver, named John Marr, *alias* "Wild Cat Jack," had an altercation with another driver, a Frenchman, named Peter Veuve, at the Washington Hotel, in San José, on the morning of Tuesday, November 18, 1862, which resulted in the death of the latter. It would appear, from the testimony taken, that an old grudge had existed between the parties—that Wild Cat had accused Veuve of stealing fare money from the proprietor, Mr. Dutech, which the Frenchman denied, and threatened, on the day in question to have a "wild cat" skin before night. Both parties boarded at the hotel. A difficulty first occurred at the breakfast table between them; but they were prevented from doing personal violence to each other. They then proceeded to the stable to "fight it out." Veuve said to Marr, on their way to the stable, that he was unarmed, and asked the latter if he was armed. He replied "No," which proved to be false, as he shortly drew a knife, and cut Veuve in the arm and abdomen. The latter cut made a ghastly wound, six inches in length, which caused death in a few hours. On the morning of February 5, 1863, "Wild Cat" made his escape from jail, where he was awaiting trial, but was afterwards captured in Stockton, San Joaquin county, on April 2d, and brought back to San José. He was convicted of murder in the first degree, May 13, 1863; was sentenced to death, and was to have been executed on the 10th July, but this was commuted to imprisonment for life.

KILLING OF JOSÉ MORIO DE POLYCARP.—On November 28, 1862, this individual, a native Californian, aged about twenty-two years, was killed near Santa Clara, by Hilaris Sandarte. What the circumstances attending the shooting were, we cannot glean, but it was decided that the case was one of "justifiable homicide," by Justice Erkson.

KILLING OF JOSEPH HENMAN.—The deceased was a native of England, about thirty-six years of age, and came to his death by two wounds made by a knife, in the hands of William Trebath, on the morning of May 17, 1863.

KILLING OF JOHN CHURCHILL.—Deceased was a native of Ireland, aged forty-four years, and came to his death by two gun-shot wounds, from a double-barreled shot-gun, in the hands of Henry Palmer. Palmer gave himself up, and upon examination was acquitted. The facts elicited were these: Palmer had been at work for a few weeks for the deceased. One evening while he was alone in the house with Mrs. Churchill, he used some insulting language in her presence, which the husband, who was listening under the window, overheard, and resented by beating him about the face, and compelling him to get down on his knees and ask his wife's pardon. He also ordered Palmer to leave his premises, threatening to take his life if he met him again. Palmer left, but returned in a few days with a double-barreled gun. He went to the field where Churchill was at work. The latter apprised of his approach was armed with a hand-ax, and attempted to run Palmer from the field. As he approached, Palmer raised his gun and fired one barrel, breaking Churchill's arm. As he continued to advance Palmer fired the second barrel, shooting his man through the heart. Churchill was jealous of his wife, probably without cause. They lived unhappily together.

MURDER OF JAMES SAXTON.—The body of deceased was found in Pacheco pass, on the morning of Sunday, June 21, 1863. It bore evidence that he had been lassoed, stabbed, and beaten with a club but a short time previously. The man was known to have about two hundred dollars in money with him, on the day of his death, the fact being also known to two Mexicans who were in the vicinity, but who had suddenly disappeared. On August 24th, an Indian was arrested for this murder, and after being committed by the Court, and given over to the Sheriff and *posse* to be taken to jail at Gilroy, he was forcibly seized by an infuriated mob and hanged to a tree in the street.

KILLING OF JAMES SANTINA.—James Santina was stabbed to the heart, and instantly killed, in Santa Clara, on the evening of July 4, 1863, by Michael Murphy, who was immediately arrested.

MURDER OF VAN CLEAVE.—For this murder Abner Smith was executed, July 10, 1863.

THE PEOPLE VS AH PAH.—For this murder, of which there is no record, Ah Pah was executed, October 30, 1863.

KILLING OF OSAQUE.—This individual was shot at Santa Clara, by Romero, a Spaniard; further than this there being no record.

KILLING OF CHARLES CHEENY.—On the evening of Saturday, January 16, 1864, Charley Cheeny was killed by Mat. Connery, in a saloon on Santa Clara street, San José.

KILLING OF JOSEPH PELLIGRINI.—About nine o'clock on Saturday evening, June 4, 1864, Joseph Pelligrini, a butcher doing business at the Enriquita quicksilver mine, was murdered in his room, as he was about retiring for the night. He was stabbed through the heart, apparently with a large butcher knife, and otherwise cut in a shocking manner. The door to his house was forced by breaking the lock. There was every evidence in the room of a terrible struggle. A pistol shot was fired, probably by deceased in self-defense. Pelligrini was a quiet, inoffensive man, and was murdered, it is supposed for his property. The murderer escaped.

MURDER OF JUAN JOSÉ RODRIGUEZ.—On the morning of June 5, 1864, a Mexican with one arm, named Julian Almanca, the owner of a "deadfall" at the Enriquita mines, whose name could not be ascertained, shot and killed Juan José Rodriguez, and succeeded in making his escape. The cause leading up to the shooting was a quarrel on some trivial matter. He was arrested in Los Angeles in January, 1867.

HOMICIDE OF BERNADA ZUNAGA.—The deceased, a native of Chile, was stabbed and killed in a drunken scuffle in Rathbone's saloon, Milpitas, February 21, 1865, by Juan Rentaria, an Indian. The murderer escaped.

THE PEOPLE vs. ——— EDWARDS.—For the murder of one Gessler at Gilroy, the prisoner was sentenced to four years' imprisonment on May 18, 1865.

MURDER OF ——— HENDRICKS.—At about eight o'clock on the morning of February 15, 1866, two Indians under arrest for murder, seized upon Mr. Hendricks, the jailer, and after a desperate struggle one of them succeeded in obtaining his pistol; they then broke from the jail and ran around the corner of the yard into Third street. Hendricks quickly obtained another pistol and followed in pursuit. He came up with one of them before he had gone the distance of a block, and fired, wounding his man. The fellow quickly fired in return, the third shot passing through the jailer's head, killing him instantly. He then ran along Third street and concealed himself under an unfinished building, among the rubbish. A crowd gathered around armed with shot-guns and revolvers; and as he was armed, and

threatened the life of any who approached, he was dispatched without much ceremony. The partner of his crime and flight was afterwards apprehended and sentenced by the District Court of Santa Cruz county, to be hanged May 22, 1866.

KILLING OF JOSÉ.—In the month of April, 1866, two men known as Francisco Ilario and José, were engaged in cutting wood near Mountain View, when José suddenly disappeared. Ilario was afterwards seen wearing a coat which was recognized as having belonged to this companion. Suspicions of foul play were aroused, a search was instituted, and the body of José, bearing the marks of violence, was found buried in the sand near the cabin. On May 29, 1866, Ilario was arrested at Spanishtown, San Mateo county, and brought by Sheriff Adams to San José, where he acknowledged the slaying of José, but said that it was in self-defense.

MURDER OF THOMAS WALKER.—The main facts of this case are these: A saloon kept by Simon Haines, at Mountain View, had been robbed of a small amount, and Walker was suspected of the crime. James Haun, assisted by two accessories, Jones and Craig, decoyed Walker, who was an inoffensive old man, from the bar-room of the Bay View House, and took him a short distance into the brush, where they endeavored with threats of summary vengeance, to extort a confession of guilt from him. He asserted his innocence in the most earnest manner. Overcome with fear, he fell upon his knees and begged them to spare his life. Jones and Craig then washed their hands of the transaction, and turned to go away. Haun went a short distance with them, and then turned back to the old man and deliberately shot him through the head. He was indicted by the Grand Jury for murder, but managed to escape, and nothing was heard of him for a period of four years, when in August, 1871, Sheriff Harris received intelligence that Haun was working in a blacksmith's shop at Lone Pine, Inyo county, under the assumed name of Wilson, where he was arrested. On January 23, 1872, he was convicted of murder in the second degree, and sentenced to the State Prison for life. In February the verdict was set aside and the prisoner remanded to answer to the next Grand Jury. On the 9th of May he was again found guilty of murder in the second degree, and on the 18th was sentenced to twelve years in the State Prison. On May 25th he was brought up before Chief Justice Wallace on a writ of *habeas corpus*, when he was remanded, but, in August the Supreme Court affirmed the judgment of the Court below, holding that as against the crime of murder in the second degree there is no limitation of time within which a prosecution may be commenced.

KILLING OF DAVID PATTON.—A man named David Patton was killed by one Steiger, a saloon-keeper at Mountain View, on Thursday, December 26,

1867. It appeared in evidence taken before the Coroner's jury that Patton was intoxicated and disposed to be quarrelsome. He attacked Steiger, who it is alleged, thrust a knife into him in self-defense. It was not so thought by the Grand Jury who found a true Bill against him, and a bench warrant was issued for his apprehension.

KILLING OF WILLIAM COOPER.—This tragedy occurred on the night of Wednesday, January 29, 1868, under the following circumstances as related in the *Mercury* of February 6th: Orrin Dubois is an industrious and respectable farmer in easy circumstances, residing about one and a half miles south of San José, on the Monterey road. His family consists of a wife and four children—the eldest, a girl, a few months past fifteen years of age. She unfortunately figures largely in this case, while another important personage, is her grandfather, a man of seventy-eight years old, and a resident with the family for three months. The deceased, William Cooper, was born in England, but came to this country at an early age. He was about twenty-five years of age, well educated and of pleasing address. He had been a soldier for the Union, and had in his possession his discharge papers. He came to the vicinity about six months previously, and being short of money sought and obtained employment of Orrin Dubois, for whom he worked two or three months during harvest. Since then he had worked at odd times for Mr. Dubois, his last engagement terminating on Friday, January 24th, when some little disagreement occurred between him and Mrs. Dubois. When not at work he spent his time in San José, frequenting the saloons, playing billiards, etc.

It appeared from the evidence adduced that for the last two weeks of his stay at Dubois' he had been carrying on an improper intimacy with the girl—entering into a secret intrigue for the purpose of an elopement, he promising to take her to New York and marry her—as under the laws of California he could not do so here without the consent of her parents, she being under eighteen years of age. The grandfather was a party to this intrigue, and acted as a medium of communication between the lovers. He swore, however, that he knew nothing about their intimacy—that he carried no messages of any kind from one to the other. The testimony of other witnesses was so conclusive to the contrary that a complaint was made out against him as an accomplice in the killing, and the old man was arrested and committed to jail to await examination. (He was subsequently examined and discharged). On Monday afternoon, January 27th, Cooper called on Dr. Kline, an acquaintance, and made a confidant of him as to his intentions to run away with the girl—said he expected trouble and wanted to borrow his (Kline's) revolver. Kline refused to lend the weapon, whereupon deceased borrowed a Derringer pistol, on the following evening, of Wes-

ley Stevens, another acquaintance, with whom he roomed occasionally when stopping in town. In the meantime Dr. Kline, actuated by a sense of duty, communicated his knowledge of the affair to officer Bellow, and advised him to keep a watch on the departing trains, as he thought the object of Cooper was to ruin the girl. Bellow immediately notified Mr. Dubois, who held a consultation with his wife on the subject. They could hardly believe the report to be true, until the girl made a full confession to her mother. She stated that Cooper was coming there that night, or the night following, to make the final arrangements for the elopement; that she was to leave the front door partly open to receive him; that he had written to her to get all the money she could, and all the watches and jewelry that would bring any money; that she did not want to go with him, but felt that she must go, for she would be ruined if she did not. With a knowledge of these facts Mr. Dubois watched for the intruder the greater part of Tuesday night. On Wednesday evening he came to San José for the purpose of taking advice as to what he should do under the circumstances, and possibly to obtain the services of an officer to arrest Cooper when he should come. Dubois concluded to defend his premises against the proposed invasion by Cooper; and returning to his home, without arousing his family, he entered by the front door, leaving it partly open, and took his place near the entrance to resume his vigils. At about eleven o'clock Cooper approached the door, and as he did so received a charge of buckshot through the body, from the effect of which he died on the afternoon of the following day. The verdict of the Coroner's jury was that the act was "premeditated and unjustifiable," but on the 27th February the Grand Jury failed to find a Bill against Dubois, he was therefore discharged from custody and admitted to bail on his own recognizance.

KILLING OF HARRY LOVE.—Harry Love, *alias* The Black Knight of the Seyante was killed in July, 1868, at Santa Clara under the following circumstances: He was a man of immense frame, and although a great braggart, of unquestionable personal bravery. He commanded the company that captured in early times the notorious robber Joaquin Murietta, who it is said he killed with his own hands. His wife by a second marriage was a wealthy land-owner. She refused to live with her husband for a number of years, on account of his cruelty to her, he being in the habit of beating her brutally, at such times as he could find her alone and unprotected. It was partly for her own protection that she employed Christian Elverson, to work on her farm and live in her house. Love spent most of his time in Santa Cruz county, leading a sort of hermit's life, and visiting his wife occasionally. He conceived a strong aversion to Elverson, pretending jealousy, which was wholly groundless, as Mrs. Love, was, at the time, over seventy, and Elver-

son in the prime of life. Love had ordered Elverson to leave the place, using violent threats against his life. Mrs. Love earnestly urged him to stay, and knowing the rough nature of the man Elverson prudently armed himself. On the day of the shooting Mrs. Love came to San José, accompanied by Elverson, for the purpose of transacting some business. Love, who had been stopping in town for a week or two, saw them together, and immediately went to his wife's house, where he armed himself with a double-barreled shot-gun, a revolver, and bowie-knife. A step-daughter, and a carpenter employed in repairing the house, were the only persons at home when he arrived there. He locked the front gate, and took a position behind the fence to await the return of Mrs. Love and Elverson, swearing that if the latter attempted to enter the premises he would kill him. The daughter, apprehending danger to her mother, went into the road and motioned the carriage back, as it approached, and when it was still a considerable distance from the house. Elverson, misinterpreting her gestures, only approached the more rapidly. When within about seventy-five yards of the gate, Love discharged one barrel of his gun, a shot striking Mrs. Love. Elverson comprehended the situation at once, leaped from the wagon, drew his revolver, and moved rapidly by side steps upon the enemy, who was crouched behind the fence, and fortified by the gate-post. When he had crossed about one-half of the intervening space he received the contents of Love's other barrel, a number of shots taking effect in his face, causing the blood to flow profusely. Perfectly cool and undaunted, he pressed on, exchanging shot for shot, until a ball from Love's revolver disabled his right arm. Shifting his pistol to his left hand, he rushed boldly up to the fence, and reaching over, just as his antagonist was in the act of firing, sent a ball through his pistol arm, which shattered the bone near the shoulder. Love immediately took to his heels shouting "murder," with Elverson in close pursuit. When near the house the latter overtook him and felled him with a blow from the pistol. He was proceeding to finish his work, when the carpenter above mentioned, came to the rescue and separated them. Love died shortly thereafter from the effects of an amputation of the shattered arm. Elverson was arrested but, after examination discharged, the killing being evidently justifiable.

MURDER OF MRS. JOHN HAUSER.—John Hauser, a well-known resident of San José, was arrested, June 18, 1869, charged with the murder of his wife, whose body was found in the yard of her residence, on Balbach street, at an early hour of that day. The parties had lived separately for several years, and had had much trouble about the division of the property. The accused was found in his bed at his room on First street, when he asserted that he knew nothing about the murder. His coat sleeve was missing and

afterwards found in the street, near his lodgings with marks of blood upon it. An inquest was held and a verdict rendered that the deceased came to her death at the hands of John Hauser. He was tried before the District Court, and the case given to the jury, January 30, 1870, when, after sixty hours' deliberation, they failed to agree and were discharged. He was afterwards re-tried, found guilty of murder in the second degree, and sentenced to twenty-five years' imprisonment.

KILLING OF BECKWITH KELLY.—A strange case of homicide occurred near Gilroy, on Thursday, August 11, 1870. A Mrs. Prudence Page came over, by stage, from Watsonville, Santa Cruz county, on that day, hired a horse and buggy at a livery stable in Gilroy, and went a few miles out of town, to a place where one Beckwith Kelly, an *employé* of Henry Miller, was at work. She invited him to take a ride with her. He accepted. The two rode together in the direction of San Juan. Returning towards evening, when near the place where the deed was committed, she enticed him to leave the buggy, and they proceeded together towards a cluster of willows. When about one hundred rods from the road she drew a revolver and shot him through the brain, and also through the heart. She left the body in the field, rode back to town, told a friend what she had done, and gave herself over to the authorities. She assigned as a reason for the act that Kelly had slandered her and refused to retract.

KILLING OF A CHINAMAN ON COE'S HOP RANCH.—This tragedy occurred on Saturday, August 5, 1871, under the following circumstances: A man named Woods, together with his sister, had for some time past, been residing on H. W. Coe's hop ranch, south-west of San José. On the day in question Woods became incensed at his sister and commenced beating her. She screamed for help, and the Chinaman, who was at the house to see about a contract for picking Coe's hops, interfered in the girl's behalf. In the struggle which ensued, the Chinaman struck Woods a blow, which immediately caused a transfer of his wrath from his sister to the unfortunate Mongolian. The Chinaman started to run, but was overtaken by Woods, who, seizing him by the cue, struck him several blows with his fist behind the ear, knocking him down and causing his death in about five minutes. Woods came into town and gave himself up to the authorities.

KILLING OF TAYLOR HALE.—This man, a shoemaker doing business on El Dorado street, San José, was assaulted near the Market street plaza, by some persons unknown, and dreadfully carved, from the effects of which he died. This occurred on the night of Sunday, September 17, 1871. There was a cut upon the left side from which the bowels protruded, another on the side of the head, severing an important artery, another completely splitting the left

hand between the two middle fingers, and a slight wound in the anterior part of the left hip, all evidently produced by a heavy knife. The murderers were supposed to be two Chinamen.

MURDER OF ARTHUR PARSONS.—On Thursday, November 2, 1871, Arthur Parsons, a farmer residing a few miles from Santa Clara, between Saratoga and Blackberry Farm, was murdered in a most cowardly manner. At about seven o'clock in the evening he went to his stable to feed his horses, his wife accompanying him for the purpose of holding a lantern. While bending over the feed trough, his wife, at the time, standing in the door of the barn holding the light, some person, from the outside, shot him through the body, causing his death in a few hours. A man named Dowd, a divorced husband of Mrs. Parsons, was arrested on suspicion; but he proved an *alibi* and was discharged. Mrs. Parsons was arrested, and also a man named N. L. Wolverton, with whom she formerly resided. In the month of February, 1872, the latter was tried and acquitted, while Mrs. Parsons was dismissed on a *nolle* by the District Attorney.

PEOPLE VS. GEORGE RUSHTON.—On Saturday, May 18, 1872, was sentenced to ten years in the State Prison, for murder in the second degree.

SHOOTING OF — POTTET.—The circumstances attending this unhappy tragedy are these: On July 27, 1872, Thomas Carroll started in a buggy with his wife to visit his father-in-law, who resided about three miles from San José, on the Almaden road. When about two miles from town he observed two men in advance walking in the same direction. He paid no particular attention to them, thinking they lived in the neighborhood, and were returning from work. As he neared them, however, they separated and when he came opposite them they both made a grab at the horse's head. They missed the bridle, however, and the horse, being a rather spirited animal, started up, and by this means they were left behind before they had an opportunity to clear themselves. Mr. Carroll drove on as fast as his horse would go until he reached the residence of Mr. Kell, where he left his wife, and procuring a rifle, started back, accompanied by that gentleman. As he expected he found the men still in the road, waiting, when within about fifteen steps, Mr. Carroll called out to them, and ordered them to about face and march for town, one of them slightly turned as though to obey the order, but the other paid no attention to the command, but resolutely advanced toward the vehicle containing Mr. Carroll and Mr. Kell. Carroll repeated the command, when the highwayman drew up a gun to fire on the party. This was the first intimation Mr. Carroll had that either of the parties were armed. He gave him no time to draw a bead, but placing his rifle to his shoulder, fired, the ball passing through the highwayman's head, and stretching him on the road.

KILLING OF CONRATERA.—Vicente Conratera entered the saloon of Granville Millsapp in Mayfield, with a friend and countryman; the latter was intoxicated, while Conratera was sober, and acted as a protector for his friend who was not in a condition to take care of himself. In fumbling in his pocket this man dropped a five-dollar piece upon the floor, which Conratera picked up and put in his pocket for safe-keeping. Millsapp witnessed the act and swore out a warrant for Conratera's arrest, but on being brought to trial he was acquitted. After his acquittal, Conratera went to Millsapp for his bundle, which was passed over to him from behind the bar, whereupon Conratera said, "If you hadn't given me this I would have served you as you did me—had you arrested." Millsapp then ordered him to leave the saloon, and at the same time reached for his pistol, and fired, the shot taking effect in the breast of deceased. The latter then started towards the door, when Millsapp fired a second shot, the ball entering the back of the neck, causing almost instant death.



ALMADEN TOWNSHIP.

Geography.—Almaden township is bounded on the north by Santa Clara township; on the east by San José and Burnett townships; on the south by Gilroy township, and on the west by Redwood township.

Topography.—Save a very small belt of land lying along the base of the foot-hills, the entire township is mountainous, the peaks of which rise to a great altitude. Two of these, one named by the Indians Choual, and the other Oumouhum (since called Mount Bache), are three thousand five hundred and thirty, and three thousand seven hundred and eighty feet respectively.

Soil.—The soil of Almaden township is various. A strip of land at the base of the foot-hills, and on their sides is adobe, while farther out in the valley it is gravelly reddish clay, and requires more moisture than in many other districts nearer the bay.

Products.—Much of the township is laid out in vineyards, and fruit of other kinds is not much cultivated. The grape being especially adapted to the gravelly soil reaches much perfection, yet cereals also find great attention.

Timber.—At an early day the timber, principally live and white oaks, extended into the valley as far as the Los Gatos creek, but the ground having been since reclaimed, enough of trees is only now left to give the appearance to the country of a well-wooded park.

Climate.—Situated as Almaden township is, within the Warm Belt, the climate is most enjoyable. Heavy frosts are unknown in Winter; copious showers obtain throughout the season, while the nights during the hottest weather are cool, and the days inoppressive.

Early Settlement.—The New Almaden Quicksilver mine, the most productive of its kind in the world, excepting only its older namesake on the frontier of Estremadura, in Old Spain, was very long ago known to the Indians who were wont to resort thither to procure red paint wherewith to adorn their nude bodies. They were unaware, however, of the presence of



Benj. L. Gray

quicksilver, and were soon salivated to such an extent that every physical comfort was quickly sacrificed. Noticing the natives thus bedaubed, a Spaniard named Castellero inquired of them whence it came; thus he discovered the mine, located it and filed his claim therefor. He lost his title to it, however, by not complying with certain prescribed conditions, thus it passed out of his hands and into those of the Quicksilver Mining Company. A full history of the mine and its concurrent litigation will be found on page 32 of this work. In the year 1845 the mine was first worked for quicksilver, but on a small scale, but no record exists of its yield until the year 1850.

It is presumably correct to give to James Dwyer the credit of being the first American settler in Almaden township, where he located in October, 1852. At the time, between the mines and the land which he then and still occupies, there were no habitations save an adobe or two occupied by Spaniards, while towards Los Gatos there was no house at all. In the course of a week, however, a man named Ebenezer Dodge, a veteran of nearly eighty years of age, had a claim on a portion of the ranch of Joseph McCarthy. The next to arrive was Zadok A. Riggs, who coming to the State in September, 1850, mined a little, and on November 30, 1852, came to Almaden township and located where he now resides, which he afterwards purchased when the survey was completed, and some five thousand acres discovered to belong to the Government instead of being the property of two Spanish grants—Narvaez and Hernandez. About this time William A. Morrison located on Frank Hamilton's place; early in the following year, 1853, Henry Phelps settled on the Schoefield place, and George B. Jameson on the farm now occupied by William La Montagne, while John Cooney took up his abode on the ranch where now resides George H. Bose. In the Fall of 1853 William D. Brown went upon the place now the property of the widow Wheeler, and with him there came Frank Anerich *alias* Richmond, who married one of his daughters and now resides on the adjoining farm. There was also present on the vineyard which he now owns, Mr. DeFrank, who had already laid out his vines. In the month of August, 1854, Michael Norton settled on the farm now occupied by his widow and son, John R., while further up the valley, there settled in the same year D. E. Skinner.

In the month of May, 1853, Joseph McCarthy located that tract of land now the property of the Lone Hill Vineyard, but continued his residence in the City of San José. In the Fall of 1855 he purchased from Ebenezer Dodge his present farm, known as St. Patrick's Ranch, where he established a domicile, and labored until, in 1875, he was enabled to erect a handsome dwelling, at a cost of eight thousand dollars, which, three years later, fell a prey to the fiery fiend. On a portion of his property, not far distant, Mr. McCarthy had another frame residence, which, too, was destroyed by fire

on the morning of General U. S. Grant's visit to San José. Both these conflagrations are supposed to have been the work of an incendiary. In 1855, to the west of Mr. Rigg's land, there established themselves a few Italians, among whom was C. Piatti, but remaining only a short time they sold out to W. W. Pratt, of San José. The next settler to come to the township we believe to have been Lewis F. Parker, who located on the land he now occupies, August 26, 1856, it being then a squatter's claim. Shortly afterwards the Lone Hill Vineyard was planted by D. M. Harwood, while, in the following month, Frank Hamilton came and pitched his camp on the ranch now occupied by the widow Howes.

At this period a large proportion of the cultivable lands were lying wild, and occupied by large quantities of timber. There were no roads, nor fences, while all commodities were procured from San José. However, this state of affairs was not to be for long, for magnificent roads were soon to penetrate over hill and through dale; with these conveniences of travel the settlement was rapid, and with the impetus given by the quick development of the mines, the township to-day is one of the most populous in the county. It is believed that the first frame house within its limits was constructed by either Messrs. Riggs or Brown, but there is the probability of there both being built at the same time. The first to get married was Joseph McCarthy, and in the natural sequence of events, the first birth in the township is credited to his wife, on New Year's day, 1856—twins.

The first school house, in the township, was that of the Pioneer district, erected in 1850. The original building has long since given place to a new one. Who the teacher was we cannot learn. In the year 1857, another school house was erected on land belonging to Frank Hamilton, and was taught by W. F. Sturgis. It was afterwards moved across the road to Pratt's land; from there it was taken to a site on the property of F. Bose, where it was burned in 1872, and the present elegant building, of the Union district, constructed in 1873, on a portion of the ranch of C. Schoefield.

On January 26, 1865, a riot occurred at the Almaden mines, as the exorbitant demands of the miners would not be acceded to by the agent of the company. It was found necessary to apply for military assistance, which had the effect of causing the disaffected to look at things with a calmer eye.

There are no towns nor villages in the section save at the mines, therefore records of these will be found elsewhere. Only about one-fourth of the township is under cultivation, but its value lies not so much in this as in the undeveloped wealth which lies concealed within its picturesque mountains.

Goodrich's Free-Stone Quarry.—Levi Goodrich, proprietor. Was first opened in 1875, and is situated in Almaden township, about eight miles south from San José. It covers an area of about five hundred acres, which

ned and controlled by the proprietor. The supply is, comparatively ing, inexhaustible, and the quality, for building purposes, good. Mr. rich has worked it continuously since 1875, and the stone work for the t House in San José, State Normal School, San Francisco City Hall, Masonic Temple in Oakland, came from this quarry. The shipping is at San José, and gives employment to from fifteen to forty men. Office, twenty, Knox Block, San José.



ALVISO TOWNSHIP.

Geography.—Alviso township is bounded on the north by the San Francisco bay and a portion of Alameda county; on the east by Milpitas and Santa Clara townships; on the south by Santa Clara and San José townships, and on the west by Fremont township.

Topography.—The topography of this township bears an unvarying sameness of level country, it being the commencement of the great Santa Clara valley. Its fore-shores comprise a large extent of marsh land, intersected with creeks and sloughs, the larger of which are navigable for sailing craft and steamboats of light draught.

Soil.—In Alviso township the soil is as good as in any other portion of the county, as the immense crops of cereals, fruits and vegetables will bear witness. It comprises principally the rich adobe lands so conducive to heavy crops and quick vegetation.

Products.—The products of the township have no variety over those of any other portion of the county. Grain is grown in large quantities, as are also pulses, tubers, fruits and vegetables, there being a large export trade in these during the season.

Climate.—Being in such close proximity to the Bay of San Francisco, the climate of this township is affected by the trade-winds which sweep that sheet of water. Otherwise it has its share of pleasant days, as well as the discomforts of muddy Winters, but in no manner to a greater extent than is the fate of other districts in Santa Clara county.

Early Settlement.—The boundaries of this township have so frequently changed since the organization of the county that but a small portion of its original area is left to it; indeed, save within the town limits, the *locale* of the old settlers have all been embraced within Santa Clara township.

Somewhere about the year 1840 three adobe buildings were erected by the three grantees of land in the section. The first of these was the family of Alviso, who had the grant known by their name; then the Berreyessas, of the Rincon de los Esteros grant, and Julio Valencia, the possessor of a large tract. Ignacio Alviso, the first of the family, and his wife, who was a

Bernal, were both natives of Spain, and were among the first Spanish pioneers of civilization in California. After a residence of some years in San Francisco he removed to the Santa Clara Mission, where he became administrator to that establishment; his grandson was elected to the State Legislature from Alameda county at the presidential election held in November, 1880.

The earliest resident with whom we have been able to hold converse is A. T. Gallagher, who came to the township in the month of September, 1849. He says at that time the Alviso *adobe*, then occupied by the widow of Domingo Alviso, stood on the eastern bank of the Guadalupe river, about one mile south-east from the town; near it was the residence of Guadalupe Berreyessa, now on the land of A. Richard, while four hundred yards below there lived Julio Valencia, on what is now the property of William Shields; and near the Lick Mills dwelt a son of Ignacio Alviso, named José Maria. These buildings still stand.

At this period the place was known as the Embarcadero de Santa Clara, the landing itself being situated about half a mile above the site of the town of Alviso on the Guadalupe. Here came to reside in the year 1843 a Scotchman named John Martin, who owned the Embarcadero Rancho, and erected the house in which his son-in-law, Charles W. Love, now lives. Mr. Martin was the first foreign resident in the section, we may say, although the tract on which his house now stands is a part of Santa Clara township, and was the only dwelling between Alviso and the town of Santa Clara.

To this point came the hides, tallow, and other native products, with quicksilver from the New Almaden mine as well, where they were stored and shipped in sailing craft to San Francisco, the imports being distributed to the different parts of the country by the primitive wagon and ox-teams of the period.

The first American settler came to the township in the year 1847, in the person of Leo Norris, who farmed on the property of José Maria Alviso, known as the Cherro Rancho, thus named on account of the curly hair of the proprietor; while, in 1849, a man named John White, resided with his father-in-law, Julio Valencia.

Where now stands the town, in September, 1849, a Frenchman named Claro pitched his tent on the plot of ground afterwards known as the plaza, which is near the present residence of Harry Wade, while in the following month, October, A. T. Gallagher put up a forty by sixty canvas warehouse, in a position back from the creek, and not far from the site just mentioned. Mr. Gallagher paid for his lumber at the rate of six hundred dollars per thousand feet, and for canvas twenty-one dollars and twenty-five cents per yard.

Thus it was that the township now under consideration commenced to be

populated. At the time of the location of these pioneers, the country was naught but a wild, wide plain, with much marsh land, covered with a growth of mustard unbroken for miles. Save the very limited cultivation practiced by the few settlers, no semblance of agricultural pursuit was visible; wild animals and game held sway over the land, while the creeks and marshes re-echoed with the sounds of wild-fowl of various kinds. These, however, were soon to be disturbed by the unrelenting hand of progress, which had become a watchword on the discovery of gold, and immigration to the shores of the great Pacific.

In the Winter of 1849-50, probably in December '49, steam was first used on the Guadalupe river. An engine and machinery was placed in an old scow, the name of *Sacramento* given to her, and in due time she was placed on the route between San Francisco and Alviso. True, she took ten hours, sometimes more, to compass the distance, but her presence was a sign of the times, as was also the tariff for passengers, the fare from San Francisco to Alviso being forty, and to San José, connected by a stage, fifty dollars.

In this Winter, 1849-50, a town site was surveyed by C. S. Lyman, for Jacob D. Hoppe, Charles B. Marvin, Kimball H. Dimmick, and Robert B. Neligh, who obtained a tract of land for that purpose from John Martin and Guadalupe Berreyessa. Afterwards, Governor Peter H. Burnett acquired Marvin's interest, and, in 1850, erected a house where Charles Young resides. Here lots were put up for sale at the upset price of six hundred dollars; preparations were made for a large commercial center, and the possibility of a canal to San José occupied public attention. In the course of a few months, the expected mercantile activity came not, and the price of lots dwindled into a phantom. Finding such to be the case, and land speculations being rife in Sacramento, Governor Burnett determined to transfer his domicile from Alviso. He therefore sent to Sacramento for the tradesmen that had constructed his dwelling, who tore it down, removed it to San José and there erected it where it now stands, next to the residence of his son-in-law, the Hon. C. T. Ryland.

At this period that vast horde of immigrants, who had left their homes in the Atlantic and other States to the potent shibboleth of gold, commenced to find their way into the fertile valleys and metal-producing gorges of California. Nearly all took a turn at the mines, some to amass wealth, others to be plunged into irretrievable ruin of mind and body. Happily, among all these, there were some with home instincts still left in their bosoms, who sought out the valleys pregnant, too, with wealth, but of a different nature, and fixed their abodes in what was then a solitude, but which, by their own industry, and the unremitting labor of others, has, to-day, become a fruitful and populous country, still holding out promise of future productiveness.

In the Spring of 1850, the steamer *Firefly*, commanded by Captain Moran, was put on the line, and another boat, named the *New Star*, Whitmore, Master, also commenced to ply. With this augmentation of trade, more warehouses were constructed to supply the demand for increased storage, while farmers commenced to settle in the district. Among those whose names we have been able to gather, are: James Whalen, who farmed for one season on the tract of José Maria Alviso; Charles Ingles, and John J. Ordley, who commanded a sailing vessel in the trade.

In 1851, Warren Pomeroy, and three others, named Sherman, Reed, and Morse who had, the previous season, farmed on the land now owned by A. T. Gallagher, in Santa Clara township, took up a tract of land near the Coyote creek, now rented by William Boets, of James F. Reed, administrator of the Berreyessa estate. In the Fall of the same year, a man, called Butler, located on what is at present the property of William Boets, there also came Messrs. Joy and Day, who occupied part of the Domingo Alviso tract, now belonging to Peter Ogier; Pedro de Sessais, at this time, purchased the tract on which resides John Meads, at the corner of the Alviso and Milpitas road; Steven Bloomfield was farming, at this period, on the land now occupied by Isaac Leitch; while among the others to arrive, and who were residents, were: Dwight Burnett, a son of the Governor, and his two brothers, Thomas and White Burnett, A. C. Erkson, now of San José, Robert Hutchinson, A. J. Wilson, Harry Wade, his son C. E. Waile, Moses Parsons, John N. Appleton, the Dana Brothers, Marchand, Christian Baptiste, Arnold, Rand, Snyder, Clark, and Richard Carr, who opened the first store in the township. It was in this year discovered, by the merest accident, that, besides the Guadalupe river, there existed other and shorter water communication with the Bay. This fact being proven, advantage was taken to test the value of the new route, by a Chileno, who brought his sloop, the *Salodonia*, by that way—the first vessel to come to Alviso by that means. The first steamboat to come up by the new route, was the *Boston*, while the first to ply regularly was the ill-fated *Jenny Lind*. We may mention in this place without much disturbing the chronological order of events that the two streams—the Guadalupe river, and that which afterwards received the name of Steamboat slough—were connected by a canal, in 1858, thus giving a greater depth of water in an around the town of Alviso.

From the foregoing remarks it will be seen the progress that the first years of American occupation brought upon this township. It will be readily appreciated by the reader how impossible it is for us to record fact for fact as it occurred, and name for name as their possessors arrived to locate. The memory at all times is but a frail reed whereon to bear the weight of one's information, yet to it alone do we trust, and such names as may be recollected by the pioneers whom we consult are the only ones that we dare mention.

In 1852, John Karr came to the township and entered the store of Richard Carr, while in this year, too, the town of Alviso was incorporated by a special Act of the Legislature. William Erkson, of San José, joined his uncle, A. C. Erkson, in the Winter of this year, on the farm now owned by Mrs. Fenton. In 1853 there arrived, among others, William Boots and Thomas Pogue, the present proprietor of the Alviso Hotel, besides many more whose names we have been unable to gather.

From the above date the settlement of the township was rapid, the broad acres, hitherto unreclaimed, being put under contribution by the horny-handed sons of toil who had established themselves on its fertile bosom. In an almost incredible short space of time, handsome homesteads commenced to rise from the chaparral and the plain began to assume an air of true civilization, with what result it is unnecessary for us here to state; these efforts speak for themselves; let the prosperous fields, orchards and gardens tell their own story.

ALVISO.—It is unnecessary here to recapitulate the first steps taken towards the establishment of this town, suffice it to say that it was laid out in 1849, and every provision made for a large city. Docks were projected, squares arranged for, a plaza set apart, streets with high-sounding names ran at right angles to each other—indeed, on paper, in a Pickwickian sense, Alviso was a metropolis worthy of a better fate than has been its hard lot. The thoroughfares, some of which still carry their appellations, were planned from west to east, and south to north, the first being called Washington, Moffat, Hoppe, Dimmick, Catharine, and Elizabeth streets, and the latter, Bay, Hope, El Dorado, Liberty, Victoria, and Bernice streets.

That the town did make a start will be gathered from the following information received from Mr. and Mrs. Harry Wade, who arrived in September, 1851, and have since dwelt there. At this time there stood at the corner of Hoppe and El Dorado streets, a store kept by an Englishman named Richard Carr; the premises still stand and is the last house near the bridge crossing the Guadalupe river on the road to Santa Clara. Next door to it was the American House, a hotel conducted by Moses Parsons, but which soon after got into the hands of John N. Appleton. Dana Brothers, of San Francisco, at that period had a store here; a French hotel named "The Four Musketeers" was kept by Marchand, it stood on the site of the hostelry now managed by Jules Pelle, while next door to where Mr. Wade resides, a man called Prince had a general mercantile establishment which was destroyed by fire in 1860. Contiguous to it Christian Baptiste had a tavern which was too burnt in the conflagration above mentioned. There was also Mr. Wade's residence, which he purchased from Pierre Duclos; the dwelling in which Robert Hutchinson now resides; and next to it was the workshop

of a blacksmith named Arnold. Near Mr. Hutchinson's dwelling aforesaid there was the store of Rand, Snyder & Clark, while a man called Ricketts had a two-story dwelling close to the position now occupied by the hotel of Thomas Pogue. Such, or nearly so, was the town of Alviso in the latter part of 1851.

In this year there existed a wharf built by the Whitmore Brothers, the proprietors of the *New Star*, on the piece of ground originally intended for the plaza, where their boat used to ship and discharge cargo. The builders constructed it, we are informed, under the conditions that free use of it was to be accorded them, and at the end of eighteen months it should become the property of the corporation. Besides the quay alluded to, there was another landing constructed by a man named Merrill, about half a mile from town, on the Guadalupe, where he used a ship's galley for a dwelling-house.

As might be expected, with the accession of trade, more ample facilities for the storage of goods was necessary. To this end a number of warehouses were constructed. The first to be put up, we have said, was that of A. T. Gallagher, built in 1849. In 1850, Frank Barrows and — Ricketts erected one on the bank of the Guadalupe, precisely over the line where the canal connecting the slough and the river has since been cut; while Clark, Rand & Snyder, built another on the site of the present Union Warehouse. In the following year Flenoy and Pierce put up a warehouse on the south side of the Guadalupe on the neck of land formed by the confluence of that stream with the slough, and at about the same time Captain Ham erected the warehouse which long went by his name. In 1851 there stood above the Guadalupe bridge another building of this class, but to whom it belonged cannot now be recalled. Here, before it fell into decay, was wont to be stored quicksilver from the New Almaden mine for export to San Francisco. In the Fall of 1851 Robert Hutchinson and his partner, A. J. Wilson, constructed a wharf on the slough, near its head, whither, on its completion, the warehouse of Burnett & Barrows was removed. To this point did the steamer *Boston* make her trips.

An Act to incorporate the Town of Alviso was approved March 26, 1852, when its limits were defined as follows: "The limits of the Town of Alviso shall include all the lands embraced within the limits of the several tracts of land conveyed by Berreyessa and wife, and by John Martin and wife, to Charles B. Marvin and Jacob D. Hoppe, and by James Alexander Forbes to K. H. Dimmick, Peter H. Burnett, R. B. Neligh and Jacob D. Hoppe." Power to levy and collect a wharfage tax, upon all vessels, of sixteen cents per ton, was invested in the Trustees; the annual tax levied and collected by the Board upon town property should not exceed twenty-five cents on every hundred dollars of the assessed value thereof; while an election for said Board of Trustees was called for the first Monday in May of that year.

Unfortunately there are no records extant wherefrom we could cull the names of the first officers of the newly incorporated town; we have, however, been informed that Thomas West and Robert Hutchinson were among the Trustees, and J. Snyder and A. T. Gallagher were respectively Treasurer and Marshal.

Affairs in the town remained *in statu quo* for several years, indeed, until an attempt was made to acquire the right over certain swamp lands within the incorporated limits, by A. M. Thompson. This action caused the Trustees to seek and obtain legal advice on the subject, the purport of which was that, though no municipal officers had been elected for several years, the incorporation had not lapsed; and all the swamp and overflowed lands within the prescribed limits were, by the Act of April 21, 1858, excluded from being considered as the property of the State. However, to set the vexed question at rest, the Legislature passed, March 22, 1862, "An Act to authorize the Governor of the State to convey certain lands." The first section granted to Albanus B. Rowley and Robert Hutchinson, as Trustees of the town of Alviso, all that tract of land described as follows: "Beginning at a point on the south-western bank of Steamboat slough, one hundred and sixteen and six hundredths chains south, and twenty chains west, from the points where sections thirty-three and thirty-four of township five south, of range one west, and sections three and four of township six south, of range one west, corner, and running thence south to the north-eastern or right bank of the Guadalupe river; thence down the said bank of the said river to a canal connecting said river with an arm of said slough; thence along the said canal to the said arm of said slough; thence down the north-eastern bank of said arm of said slough, to the junction thereof with said Steamboat slough; thence up the south-western bank of said slough to the place of beginning, containing sixty acres more or less." In accordance with the second section of the Act, Messrs. Rowley and Hutchinson paid into the office of the County Treasurer, April 19, 1862, the sum of sixty dollars, as the purchase money, and a patent therefor was issued to them under the great seal of the State, May 1, 1862. The Act also directed the said Rowley and Hutchinson, and the survivor of them, to forthwith grant, bargain, sell, and convey, the lot, or part of the lot, according to the plot of said Town of Alviso, which is included within the boundaries of the aforesaid tract of land, to the person having, holding, or claiming, the same, by himself or his tenant, under title, or claim of title, derived from, under, or through, the grantee of the Rancho "Rincon de los Esteros," upon such persons paying to said Trustees, said Rowley and Hutchinson, or the survivor of them, the sum of six dollars, for the expenses of the execution of each conveyance, and the further sum at the rate of twenty dollars per lot for the purchase money thereof. These conditions were not altered in the case of the Trustees themselves, section four making it a *sine*

qua non that they shall account in the same manner as in case of conveyance to another person. Sections five and six authorized the sale of lots and directed that the streets and alleys should remain untouched, while seven, directed the application of the purchase money as follows: "*First*—They shall retain for their own use the sum of sixty dollars, for the amount paid by them to the County Treasurer of said county. *Second*—They shall retain the amount necessarily expended by them in procuring the title to said tract of land, and in surveying the same, if they shall have the same surveyed. *Third*—The remainder of the purchase money shall be paid by them to the Trustees of the school district which includes the Town of Alviso, for the support of common schools in said district. The said Rowley and Hutchinson, or the survivor of them, shall once each year render an account to the Trustees of said school district of the money received and paid out by them, and shall, at the same time, pay over to the said Trustees the money herein provided to be paid to them."

At the present time, the town of Alviso is a quiet place, In the Summer months, a considerable trade is done by means of several sailing vessels and one or more steamboats. It contains several handsome warehouses, and the famous flour-mill, a history of which will be found below, while through its center passes the line of the South Pacific Coast Railroad, but owing to some difficulty between the Company and the citizens, no depot has been erected, time being barely given to drop the mail, or take up passengers.

There are some residents who are still sanguine, and predict a great future for the little town. We, unhappily, are under the impression that the true legend is Ichabod! Ichabod! The glory is departed!

Like every town of pretensions, Alviso has its lodge. It has no church—it never had any—but its only secret society is in a most prosperous condition.

Alviso Lodge, No. 77, A. O. U. W.—This lodge was instituted January 15, 1879, with the following charter members: S. F. Ayer, P. Borden, H. Carter, O. P. Emerson, M. D. French, A. T. Gallagher, Jr., I. B. Hart, C. H. Harker, J. Karr, A. W. Mills, H. W. French, J. W. Meads, F. Martin, J. Pelle, W. Shields, C. W. Vandegrift, F. Wells, M. Wagner, W. Zanker. The original officers were: C. W. Vandegrift, P. M. W.; M. D. French, M. W.; John Karr, F.; F. Wells, O.; W. H. Woods, Recd.; J. Pelle, Fin.; J. W. Meads, Recr.; O. P. Emerson, G.; C. H. Harker, I. W.; W. Zanker, O. W. The lodge meets every Tuesday evening, has a present membership of twenty-six, and the officers for the current term are: F. Wells, P. M. W.; J. R. Billings, M. W.; M. D. French, F.; C. W. Love, O.; W. H. French, Recd.; John Karr, Finan.; J. W. Meads, Recr.; C. L. McComas, G.; Peter Borden, I. W.; A. Jones, O. W.

Besides the several large warehouses mentioned before, which do not precisely come under the head of what we mean by "industries," Alviso possesses but one manufactory of importance, viz., its flour-mill.

Alviso Mills.—This enterprise was started in the year 1853, by Colonel A. B. Rowley and George Adams, the edifice being at that time constructed under the superintendence of George H. Lewis. The mill is at present the property of Frank Bray; is run by a one hundred and fifty horse-power engine; has a capacity of three hundred and fifty barrels of flour in the twenty-four hours; supplied with six run of stones; and is the largest establishment of the kind in the county. Connected with it is the large warehouse with a storage of five thousand five hundred tons, while every facility exists for the shipping, storing, and discharging of grain.



BURNETT TOWNSHIP.

Geography.—Geographically speaking Burnett township is situated in the eastern portion of Santa Clara county, and occupies a considerable portion of the vast Santa Clara valley.

Topography.—There is considerable of sameness in the topography of this township, comprising the large level plain—the bottom of the valley—and the range of mountains to the east and west. The highest point in the township is the “Loma de Tora,” now known as Murphy’s Peak, situated due west of Burnett Station.

Soil.—The soil of this township is equal in productiveness to any other portion of the county. Towards the center of the valley it is of a sandy nature, while near the foot-hills it becomes a rich adobe.

Products.—Like nearly every portion of the Santa Clara valley, Burnett township will produce anything and everything. Grain, fruit and vegetables are cultivated to a large extent, while the line of railroad running through its center offers great facilities for transport.

Timber.—Not much timber is to be found in Burnett township, though there is sufficient to supply the wants of its inhabitants.

Climate.—Like in other parts of the county, Burnett township has an equable climate, and though ranging hot in the months of July and August, are not too oppressive, but rather conduce to the harvesting which is then prosecuted with much vigor.

Early Settlement.—This township which received its name after the first Governor of California, Peter H. Burnett, is occupied chiefly by a number of thrifty farmers, there being no towns within its boundaries. The first settlers to locate within its confines, other than the early Spanish rancheros, were the Murphy family—Martin Murphy, Sr., his wife and children. This was in the year 1844. Here they established themselves, entered into the pursuit, then common, of stock-raising, and built a residence not far from the Eighteen-mile House, at the mouth of the Coyote creek.

The next family to arrive was that of Captain William Fisher, a gentle-

man, who, coming from Lower California, in 1845, where he had resided for some years, purchased the Rancho Laguna Seca, and occupied it until his death, which was the first in the township, when his family succeeded to his estate, a portion of which is now occupied by them.

These two families would appear to have been the only residents of Burnett township until 1852, in which year William Tennant settled where the Twenty-one-mile House now stands. This gentleman informs us that when he arrived, there were no farms inclosed, and, save a little grain put in by Bernard Murphy, no cultivation of any kind was carried on. Soon, however, the richness of the soil became apparent, and to-day the land is one of teeming plenty.

The first frame building erected in the township, was the "Twelve-mile House;" but prior to this there were a few adobe buildings. The first orchard was planted by Dan. Murphy, at the back of his location, while the first vineyard was the effort of Captain Fisher's enterprise.

The population, at the present time, is five hundred and forty—all engaged in agricultural pursuits, while it possesses the election precincts of Burnett and Highland, and the school districts of Burnett and Coyote.

TENNANT'S STATION.—This point on the route of the Southern Pacific Railroad, is a hotel and blacksmith's shop. The first of these was originally known as the Twenty-one-mile House, and was built by William Host in 1852. It was then a two-story building twenty by twenty-five feet. In November of that year the property was purchased by William Tennant, but the house was unfortunately destroyed by fire in 1853. Mr. Tennant, however, at once commenced its reconstruction, as it stands at present, two stories in height, twenty-two by thirty-six feet, with two wings, eighteen by twenty feet, and sixteen by eighteen feet respectively. Here Mr. Tennant conducts the post-office, which was established April 5, 1871.

In 1876 this same enterprising gentleman erected a blacksmith's shop, which, though at first intended for private work, is now used by the neighborhood generally.



FREMONT TOWNSHIP.

Geography.—Fremont township is bounded on the north by San Mateo county and a portion of the Bay of San Francisco; on the east by Alviso and Santa Clara townships; on the south by Redwood township, and on the west by San Mateo county.

Topography.—The topography of this township cannot be said to possess much variety, it for the most part being level valley land, ranging towards the western border into hilly country, which, rising tier above tier, finally attains a considerable altitude, these being for the most part timber ground. That portion facing on the San Francisco bay is entirely marsh land decussated by many creeks, sloughs and water-ways; some navigable and others not.

Soil.—The soil of this township is not a whit behind that of any other portion of the county, the rich, alluvial lands of the level country possessing marvelous properties in the production of grain, fruit and vegetables, while the higher lands afford ample pasturage for stock of every kind.

Products.—The produce of this section is entirely in keeping with those of other parts of the valley. Grain is grown in immense quantities, the harvest each year apparently increasing; butter is made to some extent; there is scarcely a house without an orchard, large or small, while vegetables are raised in great variety and profusion.

Timber.—That portion of the township bordering on the eastern heights of San Mateo is pretty generally covered with redwoods, although the saw-mills supplied from them are entirely located in the adjoining county. It is estimated in Fremont township there are still from fifteen to twenty thousand acres of timber lands. Before the settlement of the country by Americans, the valley was covered to a much greater extent than it is to-day with white and live-oaks, sycamores, chemisal, and a dense jungle of undergrowth. With the advance of years many of these prime trees have fallen victims to the woodman's ax, while indomitable perseverance has cleared away the brushwood, and left a park-like landscape, covered with teeming plenty.

Climate.—The climate of the entire township cannot be described as any-

thing but fine. Warm days occur as they should in their proper season; the same may be said of the colder weather. Being within ken of the Bay of San Francisco the general influence of the sea-breezes, without the strong trade-winds, is felt, while there is no time of the year, from April till October, that out-door labor may not be conducted with profit to pocket and person alike.

Early Settlement.—It will be acknowledged on every hand that to treat of the early settlement of a district, is a task requiring research and patience. In our travels in Fremont township, the oldest resident we have been able to converse with is the wife of Captain A. Greer, now residing about a mile and a half from Mayfield. This lady is the daughter of Rafael Soto, the original owner of the Rincoñada del Arroyo de San Francisquito and one of the very earliest settlers in the Pueblo de San José, where she was born in the year 1817. About the year 1827, she accompanied her father to the Martinez Rancho, now in the adjoining county of San Mateo, and there resided with him until he obtained the San Francisquito grant. In the year 1835 they took possession thereof, and erected a dwelling near the site of the residence at present occupied by Doctor Newell, of San Francisco. This house was built, says Mrs. Greer, of redwood sawed with a whip-saw on the Martinez Rancho, and conveyed thence in the primitive wagons and along the still more primitive roads of the period. It was one story in height, contained three rooms, and was the first house in the township. Two years later, we are informed, the Fathers of the Santa Clara Mission constructed an *adobe* for the use of their Indians, not far from where Secundino Robles now resides, while, about the same time, another fabric of that ilk was constructed, and still stands on the property of ex-Governor Stanford. It was occupied by Antonio Buelna, and from having a position in close proximity to the creek, was known as El Paso del Arroyo. Prior to the building of this house, however, Soto had discovered the navigability of the San Francisquito creek, had chartered some small craft to attempt a voyage up its tortuous way, had met them at its mouth, where, armed with a flag, he directed their winding and precarious course, and finally guiding them to their destination, loaded them with hides and established an embarcadero which is still in use.

The country was wild in the extreme; hill and valley were alike impenetrable; the lower grounds bore a crop of naught save chaparral and tangled undergrowth; trails were numerous but ran in perplexing confusion; traveling was dangerous, for beasts of prey were plentiful, while all around bore evidence of impossible fertility. What, then, must have been thought of John Coppinger, who, as long ago as 1837, tilled the soil of Señora Maria Antonia Mesa, the widow of Rafael Soto, on ground now owned by Henry



Daniel Truitt

V. Seals, near Mayfield. Coppinger, who owned the tract of land in San Mateo bearing his name, had no domicile in Santa Clara county, but in 1837 married Maria Luisa Soto, who is now Mrs. Greer. As this was the first marriage connected with this township, let us glance back at the merry-makings that then occurred. At an early hour of that bright and beautiful day two equestrians, mounted on a single horse, might have been seen threading their way through the mazes of brushwood *en route* to the Santa Clara mission. These were a man and woman; he in the prime of life, she in the first blush of maidenhood. The sacred edifice attained, the two are joined in accordance with the Holy Catholic Faith; the ceremony ended, the faithful steed is once more mounted, and the newly-made man and wife, alone with their happiness, their love, their hopes and their fears, commence the journey of life. Arriving at the homestead it is found that every preparation has been made for a wedding feast of more than ordinary grandeur; congratulations are showered in from every side; the guests bidden to the *fête* give way to joy and gaiety unrestrained; to regale the inner man, a weighty veal has been roasted whole among the bright embers which still smoulder at the bottom of the trench, viands are spread in prodigious profusion, the *festu* gives way to the dance, the dance to more feasting; day succeeds night and still the joyousness continues, until the third day is ended, when each returns to his home, carrying in his mind recollections which many years of the "whips and scorns of time" will leave unimpaired.

The next to settle in the district, was one José Peña, a Spaniard, who owned the grant known as the Rancho Santa Rita, but in what year he came, we have been unable to trace. About 1848 he sold his property to Secundino Robles who came to the district at that time and still resides on a portion of the original estate. This gentleman of pure Castilian descent, was born in Santa Cruz in the year 1813, and was a resident of that place until he moved into this county. In 1824 he became acquainted with the existence of the New Almaden mine, and with his brother Teodoro Robles, received four shares in the co-partnership formed in November, 1845, to work the mines by one Andres Castellero; in 1846 he commanded a troop of Mexican cavalry, during the troublous times being taken prisoner, when he broke his sword in twain, and thus surrendered it to his captors; two years later, as stated above, he acquired the Santa Rita Rancho. Here he found an *adobe* built by Peña, it is thought about the year 1840; to this structure Robles added in 1849; later, he made some frame-work additions, and on the roof laid a dancing floor, where, his neighbors in by-gone days were wont to trip "the light fantastic toe." To the rear of the premises and some rare old pear trees, weather-beaten mementoes of the past, but which still bear excellent fruit, and a couple of vines, planted five-and-twenty years ago, whose rich clusters yet hang in luscious profusion; under

this wide-spreading canopy, it was that Secundino recounted to us the exploits of his more youthful days. At his mansion in its palmiest days, the stage changed horses, long before the line of the county road had been diverted; here was he in the habit of dispensing an open hospitality; at his board the guests were many, on his estate the hunters were not a few, when such game as bear, panther, and deer were thick in the jungle. Secundino Robles to-day is a fine-looking old gentleman standing over six feet in height, with well-cut features, and noble presence, while his dark-eyed wife is a fit companion for his robust old age, notwithstanding the family of nine-and-twenty children she has given to the world. His acres are not as many as in the days when he was bounded by Rafael Soto to the north and Mariano Castro (who had no actual domicile here), to the south, yet we trust that sufficient may long remain to him to keep the wolf from the door.

To John W. Whisman is the honor of being the first American settler in Fremont township. This worthy pioneer was a native of Wythe county, Virginia, and after enduring the many hardships consequent on crossing the plains at so early a date, settled about half a mile from where an inn was afterwards built and named the Fremont House, in 1847, not far from Mountain View. In the following year, 1848, his cousin, John Whisman, arrived on the scene, and located on the ground, a portion of which is now occupied by the depot of the Southern Pacific Railroad at Mountain View Station. To save confusion the last-named settler in after years became familiarly known as "Old John." These and their families and one Creighton, who dwelt near them, were without doubt the first pioneer settlers of the township. The first death that had deprived the small community of one of its number, was that of Alpha Whisman, in 1848. In the next year, however, 1849, there was an undoubted accession to the population, for we learn of the birth of Joseph Palmer Whisman; the double marriage of Andrew Whisman to Serelda Whisman, and David Campbell to Mary Whisman in September 1849; while, at about the same time, M. W. Dixon, himself a son-in-law of Mr. Whisman, arrived and took up his residence in the section. In November, 1849, James Lynn and Washington Moody, his son-in-law, lived and kept the Fremont House who bought it from the original proprietor named Harlan, who settled there about 1848. This establishment stood where Dan Murphy now resides on the property of John Sulivan.

Up to the end of 1849 it will be observed that the township was but sparsely settled; indeed we cannot find that any other settlers than these already named came into this portion of the valley. In the Fall of 1850, however, a better start was made. Martin Murphy, who had come to the State as long ago as 1844, but whose family had settled in other portions of the county, came down from the Sacramento district, acquired the Pastoria

de las Borregas of Mariano Castro, and in the month of September of that year commenced the erection of the house he now occupies. The original portion of the residence was brought out in pieces round Cape Horn from Boston and put up where it now stands, about half a mile from the railroad depot at Murphy's. At this same time there came Edward Dale, and a month later, in November, Barnes Holloway and two ministers of the Cumberland Presbyterian church, named C. Yaeger and Wesley Gallimore. These, in partnership with Dale, rented land from Mariano Castro, but each farmed a portion on his own account. About this period a man named Frost settled on the Hollenbeck farm, while soon after the ground to the back of that tract was taken up by William Wright, who still resides on it. During the Winter of 1850-51, Abner Bryant came from Gilroy, where he had resided for some years, and located close to Dale and the others, at what is now Mountain View Station. At this period the upper portion of the township was without a permanent resident, except the Spanish families. True, there was working in the redwoods and teaming, "Uncle Jim" Otter-son, but it is doubtful if he had a fixed abode within what are now the township lines. This we do know, for he says so himself, that early in 1851 he settled on what is now the Stanford ranch, and thinking it to be Government land he afterwards disposed of it to David Adams who in turn sold it to Delavan Hoag, when the property became known as the Hoag Place. This old pioneer was born in Truro, Nova Scotia, May 5, 1805, and is now a resident of San Mateo county. In the Spring of 1851, Milton A. Lewis, from Missouri, settled on the farm now occupied by John W. Boulware near Mayfield, while, the period is made memorable by the establishment of the first school in the township. The number of children had so rapidly increased that it was deemed desirable to open some place wherein instruction might be given to those desiring it. To this end a sum of money was subscribed, a cabin erected on the site of the present railroad warehouse, and the charge given to Rev. W. Gallimore, who had promised to undertake the labors provided twenty-five pupils were forthcoming. But this was not the only benefit accruing from this scheme. On the completion of the school building, regular services were inaugurated, the pastors being Messrs. Yaeger and Gallimore, while it was arranged that once a month the edifice should be handed over to the Methodist and Baptist Bodies, the first clergymen alternating being Revs. Messrs. Bailey, now residing near Santa Clara, and Ricketts, of the Baptists. In the year 1851, there also settled near Mountain View, E. Jenkins, B. C. Bubb, W. H. Bubb, and William McClellan who located on land now the property of S. P. Emerson.

With the new year the march of immigration continued. Early in 1852, Nathan Hon arrived and bought out Abner Bryant, but some time after was removed from the ground he occupied, it not being Government land,

when he left for Gilroy, Bryant proceeding to Salinas. Messrs. Blair, Meadows, Clark, Joel Levin, and Blazer too came about this period, while William Ware settled on the land now owned by B. C. Bubb. I. N. Graham took up the ground on which he now lives; Richard Johnson also came, and earlier in the year an Englishman named Curtis pitched his tent on what is now the property of Frank Sleeper. There also located near Ware's place a man named Neville, and Jacob Boone. In the Fall of the year, Richard Johnson disposed of his tract to a new arrival named Thompson, who after occupying it for three or four years sold out to S. P. Emerson, who up to that time had his home on the Ynigo Ranch. In the month of August G. E. Shore arrived; the next month E. F. Springer took up his residence, married a daughter of Mr. Shore in the next month, since when the two families have resided near Mountain View; there also settled in that section in the month of December, G. H. Briggs. To the upper portion of the township there came John W. Boulware, who went on the place described as having been located by Milton A. Lewis in 1851. On arrival he found Silas Harmon farming forty acres, or thereabouts, on what is now Mr. Seal's property. Mr. Boulware remained in this part of the township until December, 1852, when he moved to Mountain View, bought the unexpired portion of a lease from Rev. C. Yaeger, and there resided until 1854, when he removed to the Calaveras valley, Milpitas township, but returned to Fremont township in 1861. In December, 1852, A. J. Pitman also located not far from Mayfield, near the San Francisquito creek.

It is always interesting in a work of the nature of a local history not only to note the arrivals of the earlier settlers, but to trace their whereabouts at the time of writing. We do not usually make this a portion of the scheme mapped out for our guidance; but while in conversation with Edward Dale, the question was hazarded as to his knowledge of what had become of the foregoing pioneers. He informed us that the Rev. C. Yaeger was now in charge of a circuit in what is known as the Mussel Slough country; Rev. W. Gallimore resides on his farm in Santa Clara township, adjoining the Ynigo Ranch; Blair, Clark, and Blazer removed some years ago to the Russian River valley; Meadows died on his farm in or about 1853 or '54; Johnson is a resident of Pacheco, Contra Costa county; Curtis moved to Monterey, where he still resides; McClellan died in 1861 or thereabouts; Frost is now in Arizona Territory; Neville died in 1879; and Boone is a resident of Amador county.

During the Fall of 1852, the first fencing was done by Messrs. Dale, Holloway, and Yaeger, those then existing being only on the margin of water-courses, where they had been left by each recurring flood. The initial inclosure was commenced about where now stands the prosperous little village of Mountain View Station, though it is just possible that the Spaniards may have put up some kind of an inclosure to protect the little patches of water-melons and corn which they cultivated. In this year was erected the first

store in the township by Richard Carr, who employed Jacob Shomway to conduct it, in what is now Old Mountain View; while the upper portion of the section was supplied by William Paul from a trading-post he had established on the San Mateo side of the San Francisquito creek at the embarcadero of Ravenswood.

The year 1853 we find was one of considerable moment, for the first town was started; but it is not our intention here to recount its rise and progress; that will be dealt with in the history of Mountain View. Another noteworthy event, which will be found recorded elsewhere, was the construction by James Otterson, at what is now Mayfield, of the famous "Uncle Jim's Cabin," a house of entertainment which in the olden times had a wide celebrity. Of the settlers who arrived at this epoch we have been only able to trace the names of Jonathan Richardson, Joseph Barton, George H. Grant, D. B. Bailey, George Charleston, George W. La Pierre, S. P. Taylor, O. Crittenden, C. J. Fuller, and David Adams; while, in June of that year there resided on the Dunn place in Mayfield, now owned by Peter P. Coutts, one John Fine, and a man named Little on what is now ex-Governor Stanford's home farm; Kishener resided about a quarter of a mile from Mayfield on the county road, and Sandy Wilson had squatted on the Palo Alto tract under the erroneous impression that it was Government land. About this time the Weilheimer Brothers opened a store in Mountain View, as did also a Hungarian called Ernest, who went by the name of "Doc;" while it was in this year that the cemetery at Mountain View, the only one in the township, was laid out on land donated for the purpose by Mariano Castro, a gift which speaks volumes for the liberality of that Spanish gentleman.

As year gave place to year the tidal wave of immigration, after beating against the precipitous sides of the Rocky Mountains and the almost impassable barriers of the Sierra Nevada, found its endless way into the valleys of the Golden State. Of the hundreds who came to the fertile vale of Santa Clara in the year 1854, there were a few destined to find homes within the limits of Fremont township, among them being Delavan Hoag, Mitchell Dubbs, and George DeWitt Gleason. In 1854, E. O. Crosby purchased that tract of land now owned by Edward Barron, gave to it the pleasant name of Mayfield Farm, which in turn gave the title to the post-office on its establishment in 1855, and still later to the thrifty little town which to-day bears that appellation. We note that in 1855 Nathaniel Eaton and M. Spedding cast their lot in this district; while in the following year, 1856, that ancient Scot, William Paul, finding the opposition of Fuller too much for his little store at Ravenswood, purchased the stock and good-will of the latter, removed his own little establishment, and planted in what is now Mayfield. Besides Mr. Paul, there also found a dwelling-place in that year, W. W. Brown, and S. D. Hosmer.

In the following years, immigration was heavy, and however willingly we would give the names of each successive settler, we find it impossible to do so, hence we mention only a few—not because there are none others equally as worthy of public mention, but because we have not the requisite space. In 1857, there arrived in Fremont township that worthy pioneer, Judge Joseph S. Wallis. Coming to the State at a very early date, he, like everybody else, took a turn at the mines, but not finding there that success which he desired, he returned to San Francisco, entered upon the study and practice of law, and finally settled in Mayfield in the above year. Not only has Judge Wallis been a warm supporter of the public enterprises of that village, but he has always taken an active part in all matters appertaining to the township in which he has made his home. Among the new-comers in this year were, Joseph Ponce, Robert Brown and Henry Ringstorff, the owner of the landing of that name, a history of whose establishment there we have failed to procure, though several attempts to that end have been made. In 1858, we find these two energetic citizens, Walter Henderson, the first station agent on the Southern Pacific road at Mayfield, and Cornelius Van Buren, formerly a public servant in several capacities, but at present General Superintendent of the Ayrshire Farm of Peter Coutts. In 1859, John Snyder, and Theodore F. Grant came, while, in 1860, there arrived genial John Duchesneau, C. B. Davidson, and last, though not least, that pioneer of '47, the Honorable Daniel Frink.

Thus far we have endeavored to bring what may be called the early settlement of the township, now under consideration, to perfection—that is, as perfect as may be. Would that it were possible to polish up memory, and rectify chronology; were such a thing feasible, then the difficulty would dwindle into insignificance, and our task be easy; as it is, we have usually had to depend on precarious recollections, foggy dates, and uncorroborated testimony. What we have given to the reader, has been gleaned from what may be termed the “weight of evidence.”

MOUNTAIN VIEW.—This peaceful little village is situated about eight miles north from San José, and worthily derives its name from the splendid hilly prospect which meets the eye at this point. It stands in the center of a rich farming country, and, at one time promised to be a place of considerable importance, but the railroad having given it the go-by, it has been robbed of its importance by its sister hamlet near the track and depot.

In the year 1852, when the county road was altered from its original line, James Campbell erected a stage stand on the site of Mrs. Taylor's hotel, where the coaches changed horses; not long after, a store was opened by Jacob Shomway for Richard Carr, on ground immediately opposite the hotel, where it stood until a few years ago, when it was removed to the back of the

town, and is at present occupied by Mrs. Sleeper, as a residence. It was thus that Mountain View had its commencement. In 1853, two more stores were erected by Weilheimer Brothers, and a Hungarian, whose name cannot now be recalled, save that he was always called "Doc," while a few residences were constructed.

The lots were originally surveyed by F. Sleeper and Mariano Castro, and laid out with a due regard to streets, but the settlement has been mainly on either side of the San José road.

In the year 1859, the Cumberland Presbyterian Church was built where it now stands, midway between the two towns, while some years after the present elegant school house was erected. In 1869, S. P. Taylor constructed his hotel, since his death kept by his widow, while, in 1876, the attractive building, known as Enterprise Hall, was built by a local association.

Mountain View Lodge, No. 244 I. O. O. F.—This society was instituted June 2, 1876, with the following Charter Members: Edward E. Burke, Christian Mayers, Richard Harjes, Samuel P. Taylor, Joseph F. Kennedy, James Simpson, the officers officiating on the occasion being: H. J. Tilden, M. W. G. M.; W. B. Lyon, G. Sec., assisted by James A. Lotz, D. D. G. M.; D. K. Swain, D. D. G. M.; C. W. Vandegrift, P. G.; H. C. Mumford, P. G.; John H. Dibble, P. G.; C. V. Thorn, P. G., and C. Curdts, P. G. The officers elected for the first term were: J. F. Kennedy, N. G.; R. Harjes, V. G.; E. E. Burke, Sec.; S. P. Taylor, Treas.; while, on the evening of the institution no less than thirteen candidates were admitted by Initiation. The lodge has at present fifty-five members in good standing, and the officers for the current year are: W. A. Woodis, N. G.; D. Gartelmann, V. G.; S. A. Taylor, P. G., Sec.; M. S. Loucks, Per. Sec.; R. Harjes, P. G., Treas. Half of the building in which the Lodge meets is owned by them, while the society is in a flourishing condition.

Mountain View House.—This hotel stands on the site of the original building constructed in 1852 by James Campbell as a wayside stopping place for the stage to and from San José, and was built by S. P. Taylor in the year 1869, who conducted it till his death, when its affairs fell into the hands of his widow and family. It contains fifteen rooms, besides a capacious hall, forty-six by twenty-four feet in dimensions.

Enterprise Hall.—Was erected in the year 1876 by an association composed of residents of the town and vicinity. It is twenty-six by sixty feet, fitted with anterooms, and otherwise suited for dances, etc. It was originally built for the Odd Fellows' Society, whose hall occupies the upper story of the building.

MOUNTAIN VIEW STATION.—As its name indicates this village is the

depot of the Southern Pacific Railroad, and is entirely the result of that line of communication. It was laid out by Hon. S. O. Houghton, of San José, in lots of one hundred and fifty feet square, while about the same time another town named Bayview was planned by Castro. So far as can be gleaned from the plat of the village, recorded in March, 1865, twelve blocks of six lots each were projected, bounded by thoroughfares which received high-sounding names, that to the north being Front street; to the south, Dana and California streets; to the east, View street, and to the west, Oak street, the site being intersected from north to south by Franklin, Bryant, Castro and Hope streets, and east to west by Villa and Dana streets.

Prior to the commencement of any town the railroad had a small ticket office, situated in a corner of one of Mr. Dale's fields, superintended by a man named Shirley, who was the first station agent. In 1864, on the abandonment of the temporary building which served as a depot, and the construction of the saloon of Shirley & Haines, which was purchased by the railroad for a station, the town may be said to have taken its start. This was the first house in Mountain View Station. The next was the hotel, built in 1865 by Daniel Frink and Shirley. It was originally used as a saloon, but afterwards added to until it assumed the proportions which it shows to-day. The third house erected was that of Amos Neff, in the same year, on the site directly opposite the hotel, but the railroad afterwards acquiring the ground it was removed to its present location in 1865.

In the year 1872 the Methodist Episcopal Church, South, organized a congregation and built a neat church building, under charge of Rev. Isaac L. Hopkins, this, with the splendid brick warehouses of Smith & Bubb, erected in 1878, being the only buildings of any prominence in the village. The secret societies are all well represented, the stores appear to drive a thriving trade, while the post-office, removed from the old town, and agency of Wells, Fargo & Co., all appear to have their share of business.

Methodist Episcopal Church, South.—This Church was organized in October, 1872, and the circuit set off under charge of Rev. Isaac L. Hopkins, since when the following Reverend gentlemen have occupied the pulpit: 1873-4, Richard Pratt; 1875, L. C. Renfro; 1876, C. P. Jones; 1877, Isaac L. Hopkins; 1878, Isaac L. Hopkins; 1879, George Sim; 1880, F. M. Featherston. The church, which has a seating capacity of about two hundred and fifty, was built in 1872, and is in the Mountain View circuit, which also includes Bayview, the congregation in the former place numbering about one hundred and twenty-five, and eighty or ninety in the latter. The neat little edifice is situated on the confines of Mountain View Station.

Mountain View Lodge, No. 194, F. & A. M.—At a preliminary meeting held October 8, 1868, the following brethren being present: W. Gallimore,

H. N. Bishop, S. Weilheimer, W. G. Jones, A. J. Hoyt, William Eppeheimer, G. W. Smith, William Bullard, Chris. Mayers, A. F. Beardsley, G. W. Davis, it was determined to petition the Grand Lodge for the establishment of a lodge at Mountain View Station. In due time Dispensation was granted, and the following officers chosen under it: G. W. Smith, W. M.; G. W. Davis, S. W.; William Eppeheimer, Treas.; A. J. Hoyt, Sec.; William Bullard, S. D.; Chris. Mayers, J. D.; W. G. Jones, Tyler. The Charter was conceded December 26, 1869, with the following officers named: G. W. Smith, W. M.; W. Eppeheimer, S. W.; C. Mayers, J. W. The present membership of the lodge numbers seventeen, while they meet in the Masonic Hall at Mountain View Station, on the first Tuesday of each month preceding the full moon. Officers for the current term are: H. McClery, W. M.; W. Whitmore, S. W.; S. Weilheimer, J. W.; G. E. Shore, Treas.; W. Foss, Sec.; John Graham, S. D.; E. Young, J. D.; C. Mayers, Tyler.

Mountain View Lodge, No. 59, A. O. U. W.—The Ancient Order of United Workmen organized their lodge No. 59, October 16, 1878, with the following Charter Members: William F. Foss, S. G. Isaman, W. Babcock, G. E. Shore, George T. Wagstaff, Walter Henderson, J. M. Paul, A. Alexander, J. P. Ponce, J. W. Coulter, M. Le Deit, N. A. Gilman, Peter Towne, J. L. McKibben, E. A. Minsch, L. Coblenz, H. D. Robertson, the original officers being: William F. Foss, P. M. W.; G. E. Shore, M. W.; Walter Henderson, G. F.; W. Babcock, O.; S. G. Isaman, Recorder; L. Coblenz, G.; N. A. Gilman, Financier; G. T. Wagstaff, Receiver; John Paul, I. W.; A. Alexander, O. W.; Trustees, H. D. Robertson, Peter Towne, G. E. Shore. The present membership is thirty-two, who hold their meetings in the Masonic Hall every Saturday evening. The officers for the current term are: N. A. Gilman, M. W.; J. L. Ross, M. D., G. F.; J. C. Smith, O.; G. T. Wagstaff, Recorder; J. R. Stewart, G.; W. F. Frost, Financier; J. A. Hornberger, Receiver; M. Walters, I. W.; R. Hodges, O. W.

Golden Wreath Lodge, No. 327, I. O. G. T.—The Good Templars instituted their lodge May 14, 1880, the Charter Members being: C. T. Springer, N. A. Gilman, J. J. Mockbee, Miss L. B. Gilman, Miss M. E. Smith, Miss M. F. Smith, John S. Bailey, Joseph E. Graham, A. Crittenden, Miss Annie Coleman, Alick A. Cook, W. T. Triplett, W. Bracher, George Guth, Henry Huff, W. Smith, A. W. Muncy, E. J. Gillespie, David Jenkins, Frank King, Jerome Bailey, Miss Maggie King, George R. Smith, Frank Gardner, Frank Morton, Miss Grace Shore, Miss Lizzie Springer, John Quirk, D. Murphy, George Sim, T. S. Stealy, the original holders of office being as follows: N. A. Gilman, W. C. T.; Miss Grace Shore, W. R. H. S.; Miss Lizzie Springer, W. L. H. S.; Miss Mary Smith, W. V. T.; Charles Springer, P. W. C. T.; J. S. Bailey, W. Sec.; Miss Martha Smith, Asst. Sec.; A. Crittenden, W. F.

Sec.; J. S. Mockbee, W. Treas.; Alick A. Cook, W. I. G.; W. T. Triplett, W. O. G.; Miss Lizzie Gilman, W. Marshal; Miss Maggie King, Asst. Marshal; Chaplain, Rev. Geo. Sim; E. J. Gillespie, D. D. G. W. C. T. The present membership is thirty-one, and meets every Friday at Congress Hall. The officers for the current term are: W. T. Triplett, W. C. T.; A. Muncy, W. R. H. S.; H. Huff, W. L. H. S.; Miss Lillie Gilman, W. V. T.; N. A. Gilman, P. W. C. T.; D. Jenkins, W. Sec.; Alick A. Cook, W. F. Sec.; J. Mockbee, W. Treas.; W. Smith, W. Marshal; F. King, Asst. Mar.; Miss Cynthia Mockbee, W. I. G.; T. Stealy, W. O. G.; John Bailey, W. Chaplain; E. J. Gillespie, D. D. G. W. C. T.

Mountain View Hotel.—This hostelry was originally built in the year 1865 by Daniel Frink and — Shirley, and was by them conducted for two years, when it was purchased by S. Weilheimer, and rented by him for several years, though he now has it under his own management. It is situated on the corner of Castro and Front streets in close proximity to the railroad depot, contains thirteen rooms, and will be found worthy the attention of transient guests.

Warehouses.—The two substantial brick warehouses situated here were constructed and completed in May, 1878, by J. A. Wright, of Mountain View, for Messrs. Smith and Bubb. The one built for the storage of hay is one hundred and sixty by fifty-six feet, twenty feet in the clear, and has a capacity of about one thousand five hundred tons. That used for grain is one hundred and sixty-three, by forty-eight feet, is fourteen feet in the clear, with a capacity of about twenty thousand sacks. Up to the present these buildings have been found of paramount advantage to shippers, during the last season both of them having been filled to their utmost.

MAYFIELD.—In the year 1853 what is now the beautiful farm of Edward Barron, was located on by E. O. Crosby, who gave it the name of Mayfield, which has, as we have remarked before, been transmitted, first to a post-office and then to the town, and too much credit cannot be given to the gentleman who laid out the town for continuing the sweet sound instead of adding to the already too long list of *villes* and *cities* in California. But steadily! Mayfield was not the town of that name yet. Where it now stands had earned a celebrity of another nature

It may be remembered that James Otterson had located on what is now the ranch of ex-Governor Stanford, and, believing it to be Government land, sold it to David Adams. On perfecting this transaction, he moved to what is now Mayfield. By some means or other he had become possessed of the knowledge that it was the intention of the authorities to divert the county road from its then route below the railroad, to its present line, he, therefore, conceived the

idea to construct a public house on its line, near where it would cross the road into the redwoods. The building was completed August 15, 1853; it was named, by common consent, "Uncle Jim's Cabin," and when the county road was made, it was found to be on its direct line. But there were other settlers before him. When he came from the ranch, he says, a Mexican called Jesus Ramos, lived on the spot afterwards occupied by James Dunn; under the live-oak tree, next to Peter Towne's livery stable, there was a shanty where dwelt Pancho Salazar, a Mexican-Indian; Chatto Robles had a house near the residence of Mrs. Meyers, close to the Matadero creek; while, on the bank of the same stream dwelt a Frenchman, whose name cannot be recalled. "Uncle Jim's Cabin" had a wide reputation in those days, belated travelers often pushing their jaded beasts, so that the hearty welcome of host and hostess—for his family had joined him in 1852—might be attained and comfortable rest enjoyed. The next building to go up was the butcher shop, kept by Andreas Ramos and Cinovia, in 1854, and stood a little to the south of the brick building now occupied as the agency of Wells, Fargo & Co. The next house was a little store, erected on the opposite side of the brick store before mentioned, by C. J. Fuller, in 1855, to be followed shortly after by a blacksmith's shop, next to it, owned by George La Pierre. This building is still in existence, being used as an outhouse on the farm of Peter Coutts. Then Pat. Clark put up a shoeing shop below the brick building already noted. In the year 1855, William Paul became possessed of the tract of land now known as the Ayrshire Farm, and at Christmas, 1856, finding that there was not enough trade to support two stores, bought out Fuller, brought down his stock of goods from the creek, and, with those purchased, established his emporium, also near where the "brick store" now stands, where he had purchased an acre of ground.

It should have been mentioned that in 1855, a post-office had been established at Mayfield and the appointment given to James Otterson, the business of the office being conducted by his step-daughter, Sarah Ann Smith. This estimable lady, now the wife of William Page, lumber merchant, at Mayfield, informs us, that at this time mail-matter was carried by the stage-coaches between San Francisco and San José, but so primitive was the carrying service, that one bag containing the letters would be made up at the forwarding office, for the whole district, and, wherever there was a post-office established, there would this bag be opened, the letters for the locality taken out, the bag resealed and handed back to the driver. To be sure the districts of California were not then very populous, but in these days of voluminous correspondence, the outcry, were such a plan still in operation, can be more readily assumed than explained. In this year there was a school building—a mere cabin—standing under one of the umbrageous live-oak trees, near the present school house. It was taught by Miss Mary Tice, of San Francisco.

The building now stands at the corner of First and Sherman streets, and was at an early time, dubbed "The Herring Box," by a facetious State Superintendent. In this year Jerry Easton erected the dwelling-house now occupied by George La Pierre, on Sherman street. In 1855, too, have we mention of the first wedding, that of A. Kaiser to Miss Elizabeth Keisner, and the death of David Adams, by a fall from his horse, on the road near Fuller's store.

In 1857 "Uncle Jim" made extensive additions to his cabin and opened it as a hotel, but on the erection of the Mayfield Hotel, on its site, it was transported to the opposite side of the street, and now does duty as the residence and butcher's shop of C. Velati. About this time, or probably a little earlier, Dr. Gunning, an English physician, commenced the practice of his profession, having departed from the defunct town of Ravenswood; while in the same year, Judge Wallis came to the locality, established himself in business, and has ever since been the only lawyer conducting an office in Mayfield.

Thus matters would appear to have rested for a few years. The coming of the railroad was anxiously looked forward to; at length, in or about the month of January, 1864, it arrived at Mayfield, but the first station for that district, was situated about three-fourths of a mile from the little town where had now gathered a considerable population. In the meantime William Paul had become possessed of a house, located on some land, which he rented. To his consternation and the chagrin of his tenant, who, we believe, was John Duchesneau, he found another building being erected directly in front of him, and so close that ingress and egress was almost debarred. To hurry off at once to San Francisco, to consult with the late W. C. Ralston, the agent for the proprietor, was work of imperative necessity, the outcome of which was that Paul purchased the balance of two twenty-acre lots, and conceived the idea of laying out a town. Meanwhile the little community felt aggrieved at the position chosen for the railroad depot. Naturally they wanted it at Mayfield, and steps were taken to attain that object, yet considerable opposition was felt, but, after two years, it was brought down and established on the site of the present buildings, and Walter Henderson appointed the first agent at Mayfield. This building is now occupied by William Paul as a private residence.

The town was laid out by William Paul, March 20, 1867, and surveyed by J. J. Bowen, at that time County Surveyor, and not long afterwards names given to the streets and their grading proceeded with. The town is built chiefly on three original Mayfield lots, and W. Hawkhurst's addition, while provision is made for its extension by the plots laid off by L. Dornberger and F. W. Weisshaar. The streets running north-east and south-west are named Lincoln, Sherman, Grant, Sheridan, and Washington, the cross

streets being known by their numbers, while Lincoln street was the first opened, and the sale of lots on either side inaugurated.

Among the earliest purchasers were J. L. Chandler, and Horatio Orr, the first of whom acquired a piece of ground, removed his dwelling from some distance out of town, placed it on his newly-obtained lot, where it now stands occupied by Joe. Spaulding, next to the Delavan House. Mr. Orr also transferred his house from outside the community, and it is now occupied by a Frenchman called Victor.

In the year 1866, William Page and Alexander Peers started a lumber-yard; in 1868 a brewery was opened by M. Klineclaus; in 1871 the Catholic Church was erected; in 1872 the Methodist Episcopal Church was built; while the growth of the town has been even since its foundation, it now consisting of two churches, a school house, one drug-store, a post-office, Wells, Fargo & Co.'s agency, three dry-goods stores, a brewery, a bakery, two butchers, several blacksmith shops, and the usual number of saloons.

Mayfield Lodge, No. 192, I. O. O. F.—Lodge No. 192 was instituted September 13, 1871, the following being the Charter Members: T. B. Curley, Joseph Kaufman, J. N. Spencer, F. W. Weisshaar, James Carleton, Walter Henderson. The first officers were: T. B. Curley, P. G., N. G.; Joseph Kaufman, V. G.; J. N. Spencer, Sec.; F. W. Weisshaar, Treas.; Joseph Ware, R. S. N. G.; Walter Henderson, Warden; James Carlton, I. G.; J. W. Boulware, R. S. S.; H. W. Duffy, L. S. S.; T. B. Curley, Joseph Kaufman, Walter Henderson, Trustees. The present membership is fifty-three, who meet every Tuesday evening in the hall rented by them from Jeremiah Clark. The officers for the current term are: W. W. Brown, N. G.; James Mockbee, V. G. E. A. Minsch, P. G.; Charles M. Kellogg, Sec.; C. Van Buren, Per. Sec.; Walter Henderson, Treas.; Joseph P. Ponce, R. S. N. G.; Joseph Wilson, L. S. N. G.; Harry Tompkins, R. S. V. G.; Thomas Kewley, L. S. V. G.; Ginzi Pallanda, R. S. S.; William Mount, L. S. S.; James Broady, Warden; George R. Sharp, Conductor; Christopher Ducker, I. G.; Hermann Banta, O. G.; C. Ducker, J. P. Ponce, A. J. Pitman, Trustees. The lodge is in a flourishing condition, and has lost but four of its members since institution.

Lumber Yard.—This yard was originally started by William Page and Alexander Peers, in 1866, under the style of Page & Peers. In 1867, Page bought out Peers, and alone continued the business until 1868, when he sold a half interest to Hanson, Ackerman & Co., and the yard became known as the Big Redwood Mills. In 1871, the whole concern was bought by Peers, who conducted it in his own name until 1879, when Page purchased the yard and a one-half share in the timber lands, which is the present state of the undertaking. The timber lands are situated in San Mateo county, on a branch of the Pescadero, called Mill creek, where there is a steam saw-mill

that supplies the yard at Mayfield with lumber, in which there is usually stored from five hundred thousand to one million feet, which is the average amount of the yearly business done.

Mayfield Railroad Brewery.—This enterprise was started in the year 1868 by M. Klineclaus, on the site which it now occupies, by whom it was managed until 1871, when Christopher Ducker, the present proprietor, took charge and has since conducted it under the firm name of Ducker & Co. The building has a frontage on Lincoln street; is forty by sixty feet in size, and comprises all the necessary buildings, while a yearly business with the vicinity of about one thousand barrels is done.



GILROY TOWNSHIP.

Geography.—The township of Gilroy is bounded on the north by those of New Almaden and Burnett; on the east by Merced county; on the south by San Benito county, and on the west by Santa Cruz county.

Topography.—The Gilroy section of Santa Clara valley is a fertile plain, fairly timbered in a park-like fashion, with oak, sycamore, cotton-wood and willow trees, inclosed on the north-east by the Contra Costa range, dividing it from the San Joaquin country, and on the west by the lofty Coast Range of mountains. At either extremity the mountains curve and apparently meet, as if inclosing the valley within their rocky barriers, but even in their narrowest place, the foot-hills are still half a mile apart, while at the southern end the Santa Clara merges into the Pajaro valley.

Streams.—The water outlets of Gilroy township are the Coyote, Las Llagas, Las Uvas, and the Pajaro, with their tributaries, affording no navigable communication, but plenty of sport in the trout and salmon seasons, while several good-sized sheets of water, notably the Soap lake, are covered with wild fowl of all kinds.

Climate.—From the bays of San Francisco and Monterey glide in the sea-breezes, tempering the Summer heats, they themselves being rendered balmy by their travel through the winding gaps and over the woodland vales, losing all their bleakness, yet retaining much of their freshness. Cold, chilling blasts are never felt, owing to the two opposing currents, and even the fogs drop their refreshing moisture pleasantly, having lost their rawness in their mountain climbing. The sweltering heat often encountered at the depot by railroad travelers, who halt for their midday meal, has unjustly given the City of Gilroy a torrid name, but such is only the *dictum* of the bird of passage, observation, both barometrical and thermometrical, proving the undoubted salubrity of the township.

Soil.—Nothing can be said in this regard but that nature has been more than usually benign to this favored spot. The valley is prolific to a degree, being especially adapted to fruit-culture and dairying, while the cereals attain the richest perfection.

Products.—The valley is a district of artesian wells, natural and artificial, the latter ranging in depth from over three hundred to fifty feet, the water thus obtained being in great demand for irrigating and other purposes. The dairying interest is one of the most important resources of the district, no less than twelve hundred thousand pounds of cheese being annually made. The most prominent dairymen are Messrs. Rea, Reeve Brothers, Sargent & Butterfield, Donnelly & Laughlin, Henry Reeve, Bryant, Ellis, Watson, Rowland, Zuck, Dexter, Doan, Eschenberg, Maze, A. Wilson, Davis & Cole, E. A. Davison and Henry Miller, whose dairy upon the Bloomfield ranch is a model institution. The fruit products, embracing apples, pears, peaches, plums, berries, and grapes, average about three hundred and fifty tons a year, a portion of which is dried. Among the principal growers, although nearly every farmer has an orchard, may be named Messrs. Horace Wilson, Hall, Fine, Hildebrand, Ferguson, Angney, Massey Thomas, Ousley, François, Cordiss of Oakland, Chappell, Dryden, Starle, Day, O'Toole, Furlong, Patterson, Miller, Haycock, Trombly, Duncan, Hodges, Rea, and Reeve. Of these C. François manufactures annually in the vicinity of twenty-five thousand gallons of wine and brandy; Horace Wilson produces each year about six thousand gallons of cider and two thousand of vinegar; Mr. Hall has a considerable flock of highly-bred Angora goats; while the immense possessions of Miller & Lux, and of the Sargents, with their almost innumerable cattle, are too well known to need any further description from us. Tobacco has heretofore been grown in considerable quantities in the district, and is still cultivated with great success by Mr. Culp on the San Felipe farm, in the southern portion of the township.

Timber.—The redwoods on the east side of the Coast Range provide the district with lumber, posts, poles, pickets, shingles and fire-wood, and beyond this produces enough to cause a by no means small export trade of fifty thousand dollars annually. The principal part of this business is done by Whitehurst & Hodges, who are the principal owners of these timber lands, where they have a saw-mill, erected by Bodfish in the year 1853. Besides this particular class of timber the county abounds with various other specimens, all having their particular use, either in the fashioning of dwellings or tending to the comfort of one's "ain fireside."

Early Settlement.—Would it were possible to banish grim death, preserve the ancient settler in his pristine vigor, and retain him with his memory unimpaired; were such things possible, then 'twould be an easy task to pen the recollections of the courageous men who were the harbingers of joy and comfort to what is now a fertile district and a contented people. Foremost among the alien settlers of California, and first in Santa Clara county, is the name of John Gilroy, the godfather of the township now under consideration.



Horace Little

Such, however, was not the proper name of this pioneer. His name was John Cameron, a native of Inverness-shire, in the north of Scotland, was a member of that famous clan which acknowledged Lochiel as its chieftain, and was born in the year 1794. In his youth, feeling the restraints of home somewhat keenly, and the curb of filial duty slightly strained, he left the "land of brown heath and shaggy wood," bade farewell to the rocky precipices of Ben Nevis, that grand old mountain, and the bleak, dreary moors of Knoydart, while without leave-taking or sign of any kind, he turned his back upon his home and went forth to fight the battle of life with the plaintive highland wail of "Lochaber No More" mayhap lingering in his ears. Once removed from home the roving disposition which had incited him to leave father, mother, brother, sister, urged him into choosing the sea as a profession, and it is in this capacity that we find him on the coast of California, running under the false colors of an assumed name, for he had adopted that of his mother, who was a Gilroy.

There are divers statements current as to how Gilroy came to the State, some averring that he arrived in a Hudson Bay Company's ship, and others that he came in a vessel belonging to the North-west Company. We are inclined to discredit either of these representations, but place the most implicit reliance on that of Julius Martin, himself a pioneer of 1843, who, besides enjoying the fullest confidence and personal friendship of John Gilroy for years, had many times heard from his own lips the story of his flight from home, his assumption of his mother's name, his landing in California, and his locating in Santa Clara county, reasons for believing Mr. Martin's story which are indisputable, when joined to the fact that he is a gentleman of much ability, good education and excellent memory.

John Cameron *alias* Gilroy arrived at Monterey in or about the year 1813, on one of Her Britannic Majesty's ships, on board of which he was rated as Captain's coxswain. When on duty at that port, receiving an order from a subordinate commissioned officer which he failed to carry out, he was reprimanded by the Midshipman, when Gilroy's passion getting the better of his discretion, he struck his superior, thus committing the most unpardonable breach of discipline. He knew that for this offense there could be no exculpation, therefore arrangements being perfected, he was judiciously entered as sick and with a fellow-sailor sent ashore to recuperate, and await the turn of affairs. When in sick quarters he concocted a plan for escape, and took into his confidence a comrade, who was afterwards known by the name of "Deaf Jimmy." Leaving the hospital they lay *perdu* in Monterey for several days, when the vessel sailed without them, trusting to find them at some future time. The "Union Jack" once out of sight, these worthies cast about for employment, and ultimately found their way into the Santa Clara valley, and stopped at the little village of San Ysidro. Here Gilroy would appear

to have fairly established himself. In 1821 he married a daughter of Ignacio Ortega, the owner of the San Ysidro Rancho, and upon his death received a portion of that large tract of valuable land. Mr. Martin states distinctly that when he arrived in 1843, there were but two owners to the San Ysidro grant, John Gilroy and his brother-in-law Quentin Ortega. The residence of the former, which has been unfortunately torn down, stood at the corner of the Old Gilroy and San Felipe road, near the present residence of Francisco Silveira, in the village of San Ysidro or Old Gilroy; while that of Quentin Ortega occupied a position close to where stands the small frame building of Joseph Gilroy, one of the few living representatives of the old Scotch pioneer, and about a hundred yards from the dwelling of Mr. Crews. The two houses were not more than fifty yards apart, and midway was drawn the imaginary line bounding the two properties, that lying to the north being owned by Gilroy, and that to the south by Ortega.

John Gilroy was a remarkable man. In his prime he stood six feet in his stockings, as straight as an arrow, broad in the shoulders, a well-proportioned frame, with a keen eye, wide forehead, and lowering brow. He was gifted with considerable intelligence, and though not having the advantage of an early scholastic training, became in the days of his manhood an excellent mathematician. He served for many years as Alcalde of the district in which he resided, and was chosen a Justice of the Peace by Commodore Stockton in the troublous times of 1846, which his long residence among the natives fitted him for; he had, however, one besetting sin; he became an inveterate gamester. The game of *monte* was the plague spot on every Spanish family; where strangers could not be found to join in it, then it was indulged in among the members of their families in their own homes; and thus did this stalwart Scot fritter away his lands, his herds, and at last his reputation, to meet his gambling debts, until nothing was left to him but death. Towards his last years he was in absolute want. Such was his poverty that he made application to the Society of California Pioneers at San Francisco, February 10, 1865, for assistance, which was refused, it is said on account of his not being a member of that association; but thanks to the British Benevolent Society of that city, his old age received that modicum of comfort refused by the other institution. In 1868 he was bed-ridden from rheumatism; he died in July, 1869, aged about seventy-six years. The only issue of his loins now alive is a son who resides in San Luis Obispo county, and some grandchildren who are in and about the village of San Ysidro, but who have little remembrance of the earliest known settler in California. Gilroy's hospitality is still gratefully remembered by many a pioneer, and his memory is perpetuated in the thriving city which bears his name. His comrade of 1813, "Deaf Jimmy," after remaining with him for some time, found his way to Sonoma and died on the rancho of Juan Martin. What

his real name was, whether William Malcomb or Malcolm, as Mr. Lancey says, we cannot say, for neither does Julius Martin, who knew him well, nor any other person whom we have consulted, remember ever having heard his proper cognomen.

The honor of being the first American settler in Gilroy township belongs to Philip Doke, who was a block and tackle maker on board a whaler, and left his ship at Monterey. He came into the valley before the year 1822, and marrying a daughter of Mariano Castro the owner of the Las Animas grant, settled on the tract now the dairy farm of Henry Miller at Bloomfield.

The third settler was a Dane named Mathew Fellom. He landed, from a whaler, in one of the Russian settlements on the coast, either Bodega or Fort Ross, Sonoma county, in the year 1822, and finding his way to the valley in the following year, acquired a portion of the San Ysidro tract and located on the land now occupied by one of his sons, and William N. Furlong. Mr. Fellom, or Fallon, as his name is usually pronounced died in the year 1873.

It must not be gathered from the foregoing that the strange settlers were by any means isolated. In those days small villages were formed principally as a protective measure. Indians were plentiful, and treacherous, wild animals were numerous and bold, therefore the ranchero and his followers built their dwellings within hail of each other, and the cluster of houses received the name of the grant on which it stood, thus was the village of San Ysidro brought into existence by Ignacio Ortega, and houses with gardens covering a considerable space, dotted here and there with no particular regard to the laying out of streets nor roads. Besides the immediate retainers of the rancheros, there were those who followed, not so much to labor in their own interest, or toil for their wealthier fellows, but that they loved the *dolce far niente* mode of living to be found on the haciendas of the rich. A certain amount of state was maintained, which had been imbibed from the splendor-loving cavaliers of Old Spain; the ranchero seldom moved abroad, but when he did, it was upon a handsomely caparisoned horse, with attendant out-riders, armed to protect their lord from attack. The earlier locators brought with them cattle which in the natural sequence of things became roving bands of untamed animals that provided master and servitor with meat, while enough grain was not so much cultivated, as grown, to keep them in food. Their mode of traveling was entirely on horseback; accommodation there was none; when halting for the night an umbrageous tree was their roof, the valley, at once their stable and pasture, while, when food was required, to slay an ox or kill a deer was the matter of a few moments. Nearly all of the labor was performed by Indians, the natives of Spanish blood doing little but riding about looking after live-stock. Fandangoes and gambling afforded amusement to all, while Sunday was the gala

day when the inhabitants met each other socially and with unconfined joy, for their habits were simple, their natures hospitable and their tempers even; indeed we are assured that San Ysidro in those long-ago days was ahead of all other places in California in its conviviality and liberality.

Until 1843 Gilroy was without any acquisition to its foreign strength. In the month of December in that year came Julius Martin with his wife and three daughters. He is still a resident of the township. We deem it a privilege to have the acquaintance of this worthy pioneer, over whose white head have passed so many changes. Twice ten years ago he was deprived of his sight, but God, as if in recognition of so deep an affliction, has blessed Mr. Martin with that rarer faculty, a clear recollection, whereby he can paint in bright word-pictures the scenes which formerly he so keenly watched and so thoroughly enjoyed. On our visit to Mr. Martin in search of information, it was a pleasure "beyond compare" to watch his face as quick intelligence lighted every feature, as flashing thought almost translated itself upon his eyelids, and happy reminiscence twinkled at the corners of his mouth. He told us his tale in a pure and concise form, and answered our interrogatories without question or hesitancy.

On his arrival in the township, he found it as we have above described, and at once settled in the village of San Ysidro, and occupied himself chiefly in hunting. That Winter, 1843-4, James M. Hudspeth, now of Green Valley, Sonoma county, and his partner, Alexander Copeland, were at work in the redwoods near the present city, but left in the month of June following, for Sutter's Fort, therefore they could not be accounted settlers. Indeed, save the Martin family, there were no permanent locaters, until the discovery of gold brought so many to the coast. At this period, as may be imagined, there were no industries of any kind; most, if not all, of the stores consumed were procured from the adjacent herds, the few fields, the Pueblo of San José, and the thriving town of Monterey, the medium of commerce being silver, but more often hides and tallow. In 1844, Julius Martin constructed a small horse-power flour-mill, with a capacity of about twenty bushels per day, the stones used being still to be seen in Old Gilroy; and in the following year, 1844, Thomas O. Larkin, in conjunction with José Maria Sanchez, erected a primitive soap factory at the upper end of the Ortega Rancho, about three miles from San Ysidro. The building, which was a frame edifice, stood on the bank of that sheet of water now known as Soap lake, and was in charge of an Englishman, who drove a thriving business while the establishment lasted. The kettle here used was the old caldron of a whaling vessel, but increased in size by placing long slabs of wood upwards from the edges, with an incline outwards, until the height attained was about eight feet; these were banded together with hoop-iron, and finally built around with adobes, sufficient space being left underneath for a flue. The neces-

sary ingredients were thrown into the vessel in their natural state—without a semblance of preparation—while the alkali used was the substance called by the Spaniards *teguesquite*, which was scraped off the adjoining lands, and employed in this preparation. When solidified, the material was cut into bars, taken to Monterey, and sold to the ships frequenting that port, the sailors on these prizing it highly on account of its being easily manipulated with sea-water. In 1848, on the breaking out of the gold fever, this industry died; to-day, there is not a vestige of such an enterprise having been in existence.

A considerable traffic existed at this period between the population to the north and Monterey. From Sonoma, Sutter's Fort, San José, and the Missions, all communication with the Capital was maintained along the main road, and San Ysidro was seldom without the weary wayfarer. Through here J. W. Marshall passed when on his way to lay his great discovery before the authorities, and from his own lips did they learn of the finding of gold in Sutter's mill-race, at Coloma. On this intelligence, the few settlers went to the mines, and left the little village to take care of itself. The following year, however, saw them back to their old haunts, but no others came to settle in 1849, though W. R. Bane paid a visit to the spot in that year. In 1850, after Julius Martin returned from the mines, he purchased twelve hundred and twenty acres from John Gilroy, for which he paid cash, and on it commenced to build a house, the choice of locality falling on that portion of it which he now occupies, about half a mile from Gilroy. The old house which still stands within the inclosure of our old pioneer, is thirty by fifty feet, divided into two rooms, the cooking and domestic work being then carried on in temporary sheds, while it was entirely composed of redwood, cut, rived, split and shaved by Mr. Martin himself. This was the first frame building, in the township. The first rush of the gold excitement over, we find that stores were opened in Old Gilroy, in turn, by Claudio Dudit, Barbechon, Harrison & Bruen, Allen & Smith, and Barnes & Newcomb, while Isaac Hale conducted a hotel. These establishments were, of course, not all opened at once. They are thus collectively spoken of for the simple reason that the dates are unknown.

In the year 1850, James Houck came to the township, and established himself in a shake shanty, within what are now the city limits of Gilroy and, not long after, Lucien Everett arrived, when a partnership was entered into between himself and Houck. These were followed in 1851 by Lawrence O'Toole, James Fitzgerald, John S. Fitzgerald, and M. T. Holsclaw, who states that he not only built the first blacksmith's shop, but sowed the first grain in the district. In 1852, John Eigelberry came to settle; he died in 1880, highly esteemed and respected. In the next year we have the names of Jacob Reither, Thomas Rea, David Holloway, David Wood, David

Zuck and family, William Fitzgerald, T. R. Thomas, Horace Willson, Alfred Chappell, J. Q. Patton, George Anson, Massey Thomas, P. Fitzgerald, Eli Reynolds, Dempsey Jackson, and others, whose names we have been unable to obtain. In 1854, we have Uriah Wood, W. Z. Angney, deceased, S. M. Ousley, deceased, J. Donnelly, Daniel C. Day. In 1855, among the settlers were: Hugh S. Jones, A. Fergusson, deceased, M. R. Fergusson, Perry Dowdy, and J. H. Ellis; in 1856, there located, with others, Christian Wentz, S. P. Fine, J. H. Duncan, George Easton, Joseph Rice, Albert Willson, J. Doan; in 1857, James Dunn, and H. Crews came to the township; in 1858, there arrived W. N. Furlong, J. D. Culp, J. S. Rucker, Rodney Eschenburg, and P. B. Tully; in 1859, Dr. Huber, S. M. Maze, David H. Neel, and Samuel Rea; and in 1860, William Hanna, Peter Donnelly, and Alexander Watson.

The foregoing names are by no means those of all the settlers who located in Gilroy township up to 1860. Such a task is an impossibility, their names are not all now remembered, and their habitations have ceased to be; we trust, that as far as we have gone, recollections may be spurred into reminiscence and some old friends be lifted from oblivion.

Before closing this portion of the history of Gilroy it should be mentioned that a description of the charming Hot Springs will be found on page 41 of this volume.

We have thus far dwelt upon the settlement of the district as a township. It now becomes our duty to draw the attention of the reader to the leading colonies within it; we will, therefore, sketch briefly the histories, so far as we have been able to gather them of the village of San Ysidro, or Old Gilroy, the city of Gilroy, and the hamlet of San Felipe.

SAN YSIDRO or OLD GILROY.—How long ago this ancient town was founded there are no means of accurately stating. In olden days, that is when the Spaniards first came to California, they lived in villages, or rather, clusters of houses on their ranchos, and the little congregation of dwellings received the name of the grant. Here the Ortega family, to whom was given the San Ysidro tract, fixed their abode, and by that name was the village called, until the arrival of American settlers, when it became generally known as Gilroy, and, afterwards, as the new town sprang up, the prefix "old" was given to it, but the official name is still San Ysidro. It is charmingly situated about two miles from the city of Gilroy. The first foreigners, other than the Spanish, to settle within its precincts were those pioneers already mentioned, and after the discovery of gold and the location of the district, stores were opened in turn by Claudio Dudit, Barbechon, Harrison & Bruen, Allen & Smith, and Barnes & Newcomb, while there was a hotel conducted by Isaac Hale. A post-office was also established here at a very

early date, but at what precise period we cannot glean. It was afterwards moved to the new town. The general appearance of the quiet little village is clean and comfortable. Pleasant homes with pretty grounds and fruitful orchards line either side of the main road, while there are one or two edifices of more pretentious design than the others, notable among these being the particularly fine dwelling of Horace Willson. This gentleman came to the State in the year 1853 and settled in Gilroy township. He is a bricklayer by trade, and to him is the credit due of having put to use the admirable clay of the district in brick-making during 1854. In 1859 he erected his magnificent mansion in the center of the village, around which he has constructed well-appointed farm buildings, laid out a beautiful garden and planted a fine orchard. Contiguous to the village is a neat and well-attended school-house, while in the next lot to it is the building of the Gilroy Cheese Factory Association, now disused.

GILROY.—This city, solidly and substantially built, is charmingly situated amidst a wealth of beauty and woodland, vales and mountains, upon whose sloping hollows and slanting dells the sunlight and shadow dance in the richest changefulness of ever-varying form and color. The lofty peaks of the Santa Ana, Pacheco and Los Barberos stand out harmoniously against the azure sky, the light mists and fleecy clouds hang hovering twixt heaven and earth, and the rolling, billow-like hills, fringed with a purple foam of redwoods, evergreen oaks and pines, create a captivating landscape well worthy the fame of the Santa Clara vale—the garden valley of the Pacific coast.

When the earlier settlers arrived this portion of the district was known as Pleasant Valley, a most appropriate name, but later, on houses being constructed and the nucleus of a town formed, it received the appellation of Gilroy, in honor of that ancient pioneer who first settled in its vicinity.

In the year 1850 a man named James Houck, a native of the State of Ohio, erected a small road-side inn and stable on the direct route from the north to Monterey. This structure, composed of split redwood brought from the adjacent hills, still stands opposite the residence of Mr. Lewis, in an inclosure to the north of the street which bears his name, and is now used by that gentleman as a place for servants. This was the initial building in the city of Gilroy. The second fabric was a little cabin erected near a large and umbrageous oak, that stood on what is now Lewis street, near Monterey street, and faced the east. Here a small trading-post was established by Lucien Everett, who afterwards took Houck into partnership. The next to follow was John Eigelberry who built that dwelling now occupied by W. R. Bane at the corner of Fourth and Eigelberry streets, while, in the Winter of 1853-4, David Holloway constructed that long building with

a veranda which stands back from Monterey street, and lies between Lewis street and Martin's lane. When built it was intended for a private residence, but in 1854 it was converted into the first hotel in the town. Here David Holloway opened a shop and carried on the blacksmith's trade. The next building was a saddler's shop, put up by Eli Reynolds in the latter part of 1853, which stood between Second and Fourth streets. It is now the dwelling of Mrs. Mitchell, but so little of its original design remains that its ancient form is unrecognizable. At this period the postmaster was James Houck—he could neither read nor write—who had an old cigar box outside of his door into which letters were dropped, while the stage between San José and Monterey stopped at his place to change horses. We should mention that prior to the establishment of the post-office here, it had been located in San Ysidro, and before that, mail-matter was transferred from San José once a week by a man named Bicknell, who usually converted his several capacious pockets into postal-bags. The second postmaster was Lucien Everett, who died in the year 1857, while his partner, after remaining in the city for several years, sold his interest and returned to Ohio.

In 1852 a man named Bain taught school for one season in a settler's hut which stood in the eastern portion of the town near the residence now occupied by Senator J. C. Zuck; in the following year, however, a new school-house was built, by subscription of the few settlers, on the ground where the present handsome school building now stands, between Second and Fourth streets; and was opened by a Mr. Jackson, the Trustees being W. R. Bane and Dempsey Jackson.

The first Protestant preaching was held in the Summer of the year 1852, at the residence of W. R. Bane, by Rev. Mr. Anthony, of the Methodist Episcopal Church, when the weather was so hot the male portion of the congregation attended without coats. The next officiating clergyman to visit the little town was a circuit preacher of the Methodist Episcopal Church, South, named J. T. Cox, who organized a congregation in 1853, and held services in the school-house. In the year 1854, a Sabbath-school was matured, and during the following year a church was built at a cost of one thousand dollars, and was succeeded in 1871 by the present handsome edifice, erected at an outlay of four thousand dollars.

Thus we can afford to leave the first start of the little town to pursue the even tenor of its quiet way. The thoroughfare known as Monterey street, is to all intents the old trail between the Missions to the north and those to the south, and Monterey. In former times it made a detour about Seventh street and found its way to San Ysidro, but on account of floods in Winter, the post-office was removed from that village, established in Gilroy, and the road or main traveled trail, pushed straight ahead until it joined the ancient track some distance beyond, by which, the crossing of the Las

Llagas creek was avoided and travel made safer and more comfortable. The town itself grew slowly, but it was not until it became evident that the railroad would tap the resources of the district that it took any actual spring into existence—let us mark the period.

In the latter part of the year 1867, or early in 1868, there came to reside in Gilroy, Freeman S. Rogers, a dentist, having the fixed belief that in the course of time, the then village would develop into a center of considerable importance. He therefore established himself in a little house on Monterey, between Third and Fourth streets, with a view to the practice of his profession. Here came to him James C. Zuck, who rented one-half of the building and opened the first lawyer's office in the town. Thus both these gentlemen commenced the duties of their several professions in Gilroy. In the course of conversation they settled to start in the real estate business, and in compliance with the legend "to say is to do," the firm of Zuck & Rogers became an accomplished fact. Their first venture was the purchase of five acres in the north-western portion of the town, which they divided off into lots and sold to eager purchasers at once. With such an inducement further operations were entered into. Twenty acres were acquired from John Eigelberry on the west side of Monterey street, about the middle of the town, and parceled out, which, too, found a ready sale. At this juncture W. L. Hoover was admitted into partnership and the firm became Zuck, Rogers & Hoover. They now purchased a thirty-acre tract from L. F. Bell, on the east side of Monterey street, which also being laid out into lots, were early purchased, as were also other small parcels situated in different parts of the town; more extended transactions ensued, until it may be safely asserted, that nearly the entire town site has been manipulated by these enterprising gentlemen. Dr. Rogers has now retired from the real estate business, but is still a worthy citizen of the little city which he has done so much to bring into prominence. Mr. Hoover is dead, and the only member of that firm of energetic men who gave so great an impetus to the progress of Gilroy, now remaining in the business, is J. C. Zuck, the able Senator from Santa Clara county. Senator Zuck has since been appointed United States Consul at Tientsing, North China.

The town site was surveyed in the early part of 1868 by Doctor Huber, who named the streets and otherwise laid out the city.

On February 6, 1868, a petition, signed by J. F. Johnson, George F. Clark, R. M. Jersey, H. Crews, H. B. Harris, Ed. E. Wheaton, Thomas C. Caldwell, J. M. Brooks, N. Gardner, Jacob Meyer, William Lancaster, C. H. Trombly, Frank Oldham, James Stevens, H. Gardner, Walter Page, John W. Eardley, C. H. Pomeroy, Robert Trewin, George Holloway, Peter Kelly, S. L. Morrison, T. H. Curdts, F. S. Rogers, R. Catherwood, H. W. Briggs, Robert Gelien, Jacob H. Hayes, William Hanna, Henry Holloway, Joseph

Dimmick, Levi Boswell, Charley Bush, J. A. Canshaw, J. M. Keith, Rudolph Lassius, Noah Burton, George Redford, George Roop, H. D. Coon, D. Humbiman, J. F. McComber, C. W. York, J. M. Browne, W. Holloway, Alonzo Howard, William Skidmore, P. Eastridge, J. B. Money, E. King, N. Platt, Isaac Dyer, Hugh Martin, T. S. Oldham, J. J. Braman, S. Stewart, H. C. Moore, A. W. Hubbard, W. J. Baillone, A. Lewis, Cyprius Johnson, E. Bellya, John Bicht, D. Huber, J. W. Clifton, H. Culp, F. W. Lamb, A. W. Hildebrand, Owen Miles, J. L. Buchard, John Angel, A. P. Baillage, Albert Warthen, Henry Williams, A. H. Kennedy, John Eigelberry, J. H. Harris, and O. P. Wyatt, was presented to the Board of Supervisors of Santa Clara county, praying that the town of Gilroy be incorporated within the following limits, to wit: "Beginning at a point situated south twenty degrees, east forty-six chains from the center of Monterey street, where the south side of Bodfish street intersects the same, said point of beginning being in the center of Monterey street; thence running westerly and at right angles to said Monterey street, forty chains; thence northerly, and parallel to said Monterey street, and in a straight line, one hundred and ten chains; thence easterly, and at right angles to the last-mentioned line, eighty chains; thence southerly, and at right angles to said last-mentioned line, one hundred and ten chains; and westerly, at right angles, to the place of beginning." The prayer was granted February 18, 1868, under provisions of the Act of the Legislature entitled "An Act for the Incorporation of Towns."—Approved April 19, 1856, and the *dictum* went forth that hereafter the place should be known as the "Town of Gilroy, and that the inhabitants shall be and remain a Body Politic and Corporate." Saturday, March 7, 1868, was designated as the day on which an election should be held by the qualified electors within the limits above described, to choose five Trustees, a Treasurer, an Assessor, and a Marshal, who should hold office in accordance with the second section of said Act. The Judges of Election on the occasion were David Huber, J. W. Clifton, and D. S. Whitney, while the following gentlemen composed the first municipal officers of the town of Gilroy: Trustees, John C. Looser, William Hanna, Frank Oldham, Jacob Einstein, Jacob Reither; Treasurer, H. Wangenheim; Assessor, James Angel; Marshal, A. W. Hubbard. The bonds of these several officers were fixed on March 16th, while an Ordinance determining the penalty on persons found drunk in the streets, was passed. On the 23d, the gentleman who was elected Assessor failed to qualify, therefore H. D. Coon was appointed in his stead, the resignation of the Town Clerk being at the same time handed in and accepted, J. M. Keith being chosen his successor, who, on April 16th, was directed to receive the following fees: For service while attending each meeting of the Board of Trustees, one dollar, and for writing and copying at the rate of twenty-five cents per folio. On April 14th, an ordinance was passed defining the

dimensions of sidewalks to be as follows: Sidewalks on Monterey street, fourteen feet wide; those on all thoroughfares parallel to it, ten feet; the sidewalks on streets running east and west, to be eight feet in width; while, at the same session, the following streets were ordered to be opened: Eigelberry street, from Farman to Martha street; Levy street, from Monterey to Eigelberry street; Farman street, from M to E streets; Martha street, from Monterey street to where it intersects the county road. Ordinance No. 7, likewise passed on this date, made the following changes in the names of streets: Sargent, to be First street; Martha, to be Second street; Looser, to be Third street; Bodfish, to be Fourth street; Levy, to be Fifth street; Farman, to be Sixth street; and Furlong, to be Seventh street. The poll-tax collectable from each male inhabitant over twenty-one years of age residing within the incorporated limits was fixed at one dollar; and the Clerk instructed to notify residents wishing to improve or fence in their property "to observe that Monterey street is eighty-six feet wide, and all other streets parallel to it are seventy-five feet wide. All cross-streets are sixty-six feet wide. The blocks are three hundred feet deep and five hundred and fifty feet long."

The time having now arrived for the first regular annual election for town officers, such was held May 4, 1868 with the following result, the term of vocation being one year: Trustees, F. Oldham, President, J. C. Looser, William Hanna, J. Einstein, Jacob Reither; Recorder, A. Warthen; Treasurer, Henry Wangenheim; Assessor, H. D. Coon; Marshal, Thomas F. McGreavy; Clerk, J. M. Keith; Attorney, P. B. Tully. May 11th an iron rod five feet deep into the ground, planted where the center of Monterey street intersects the south line of Fourth street, was established as the initial point from which future surveys and corrections should be made; June 26th, a levy of one-half of one per cent. was directed to be raised on the assessable property of the town for the fiscal year ending April 30, 1869. July 6th, it was determined to construct a town prison, sixteen by twenty feet, on a lot obtained from John Eigelberry; on the same date the resignation of Trustee J. C. Looser was accepted; July 8th, Thomas F. McGreavy was removed from the office of Marshal and Cyprus Johnson appointed in his stead; July 13th, D. Huber was chosen a Trustee in place of J. C. Looser; and on the 27th of the same month a committee was appointed to take measures for the protection of the town from fire. On the 9th of November exclusive right to lay pipes and supply the town of Gilroy with gas was granted to George H. Peck, Alexander J. Spencer, Francis E. Spencer, John M. Keith and Pleasant B. Tully, provided that not more than ten dollars, gold coin, per one thousand cubic feet should be charged; November 30th, a petition was received from Arzelia Lewis praying that that portion of the town designated as Lewis' Addition be accepted by the Board of Trustees,

and the streets and alleys, so far as they are on her land, be declared open and dedicated to public use, was granted, save so much as related to Lewis street, which was rejected on account of its not being laid out so as to correspond with Fourth street; December 7th, on the petition of Zuck, Rogers and others the following streets were declared open; Hanna street to the slough, south of Seventh street; Sixth street, from Church to Hanna street; Seventh street, from Church to Hanna street; Rosanna street, from the line of Zuck & Co's. division fence with Angel & Co. to the slough, south of Seventh street; and Church street, from Sixth to the slough south of Seventh street; December 14th, Lewis street from Monterey, to the alley at the back of Forrest street, was declared open in accordance with the petition of Arzelia Lewis; and, on December 29th, a pest-house was ordered to be constructed at the expense of the county.

These are the chief among the steps taken by the Board of Trustees of the town of Gilroy to perfect its organization during the first year of incorporation. From the amount of business transacted it will be seen that the municipality held no sinecure, but gave their time and labor to the best advantage for their rising town. With the improvements above enumerated, as a natural sequence, the population increased and building progressed, while brighter days were yet in store as the railroad was making rapid strides towards completion.

1869.—At a meeting of the Board of Trustees held on February 15th of this year it was resolved that the citizens of Gilroy ought to give a public reception to the managers of the railroad and visitors to Gilroy on the opening of the road to that town, and that Frank Oldham, William Hanna and Jacob Reither, on the part of the Trustees be a committee to act with a like conclave of the citizens in the premises.

It can readily be conjectured how eager was the expectation, which would bring the railroad to the very doors of the good people of Gilroy; with what avidity they heard of each successive mile being laid that brought rapid locomotion to them, and the lively demonstration they were prepared to extend to its projectors on that consummation devoutly to be wished. That happy day at length arrived, the morning of April 8, 1859, dawned with a beauty hopefully prophetic of the good to come. On that eventful day the iron horse was received at Gilroy by an exultant populace. From all parts of the surrounding country and from the adjacent counties had come an immense concourse of people to witness the fruition of hopes which had but a few years before been deemed unobtainable. A feast was spread, Gilroy put on its holiday attire, the guests were bidden, and all gave way to joy and gladness, and well they might for prosperity was at the threshold and sought immediate admittance. As if by magic, the hum of busy workmen was heard above the din of labor; the woodman's ax reverberated through

mountains, while mighty redwoods crashed to the earth, sending echo back to echo, until lost beyond the reach of sound. The hammer and the saw, were hard at work, until in a little a country hamlet became a town of prosperity. The shake stores gave place to more seemly marts, the uneven, muddy and irregular thoroughfares, to well graded and macadamized streets; its rough and unpainted shanties, rarely blessed by the light of woman's smile, to neat and inviting cottages and comfortable homes, around whose hearthstones clustered groups of prattling children; its places of worship had increased fourfold, and its population in a like ratio. The open waste of meadow land was being fast inclosed; cultivated fields appeared on every hand and the valley covered with flocks and herds. Numbers of families had moved into Gilroy with the determination of making it their permanent home, while the promise for the future was as hopeful as might be.

On May 3, 1869, the annual municipal election took place, the following gentlemen being the successful candidates: Trustees, William Gill Mills, President William Holloway, C. K. Farley, Jacob Reither, J. A. Kiddey; Recorder, A. Warthen; Treasurer, J. Einstein; Assessor, P. Francis Hoey; Marshal, M. Gray; Clerk, H. Wangenheim; August 23d, permission was granted to Messrs. Robinson and Isaac, on behalf of the Gilroy Fire Protective Association, to sink wells at the intersection of Monterey street, in the middle thereof, and on Third, Fourth, Fifth, Sixth and Seventh streets; November 23d, John Sevenoaks and Z. Pierce were appointed Trustees *vice* C. K. Farley and William Holloway, resigned; while, on November 30th, it was voted that thirty dollars per month should be paid to Vigilant Engine Company, No. 1, towards their expenses. This is the first record we have of the granting of official cognizance to the Fire Brigade.

1870.—On February 28th, H. Miller announced his willingness to donate five acres for a Potter's Field, and would lay out twenty acres more in plots, and sell the same, which offer was accepted, and a committee appointed to inquire into the charges contemplated by Mr. Miller for such plots. It would now appear that preliminary steps had been taken, and indeed were in a fair way to perfection, to have the town raised to civic dignity, for we find on March 2d, the following minute: "It is resolved that when the Board of Trustees receive news of the signing of the charter incorporating the city, that we have a celebration, and that the Board act as a committee of the whole matter." March 7th, G. Hanna and C. Flewelling were appointed policemen, to serve under the orders of the Board of Trustees; March 16th, an Act, to incorporate the City of Gilroy, was signed, when the corporate limits were left unmolested, and the government of the city vested in a Mayor, a Common Council, to consist of six members, a City Marshal, who shall be *ex officio* City Tax Collector, a City Clerk, who shall be *ex officio* City Assessor, and a City Treasurer. It was directed that an election for

these offices should be held on the first Monday of May, in each year, at which the legally qualified voters of the city, should elect the several respective officers, viz.: a Mayor, Clerk, Treasurer, and Marshal, to hold office for one year, and until their successors are duly elected and qualified; six Councilmen, three to serve for a term of one year, and three for the term of two years. As these new officers did not come into power until the first Monday of May, 1870, their functions were assumed, on this date, by the Trustees, the President, William Gill Mills, settling into the civic chair, and his coadjutors, by a simple process, transmuted into a Common Council. *Nous avons changé tout cela!* On this date, March 16th, the salary of City Attorney, F. L. Hatch, was settled at five hundred dollars a year; March 17th, a piece of ground, containing twenty and thirty-three-hundredths acres, was purchased from Judge E. Bennett, as a cemetery, the price being at the rate of forty dollars per acre, and Mr. Isaac engaged to stake it out into lots and avenues; April 5th, the following order was made: That the first street east of Forrest street, from where it intersects Sixth street, be known as Chestnut street; that the second street east of Forrest street, from Sixth street to the Pacheco Pass road, be known as Maple street; while on the same date the undermentioned business was transacted: The price of lots in the cemetery fixed; James A. Wright appointed Sexton, at the monthly compensation of forty dollars; and P. F. Hoey, chosen to fill the office of Pound-keeper. This brings us to the first regular election of officers under the new charter. These were elected May 10th, as under: Mayor, J. M. Browne; Councilmen, William Hanna, Jacob Reither, J. B. Morey, C. K. Farley, William Isaac, Volney Howard; City Treasurer, M. Einstein; City Clerk, George T. Clark; City Marshal, M. Gray. May 12th, upon the retirement of the President of the late Board of Trustees, and since the passage of the charter the acting Mayor, it was unanimously *Resolved*, "That we take great pleasure in publicly testifying to our high respect, appreciation and esteem of the services, of William Gill Mills, as Mayor and Executive officer of Gilroy, for the year past; that we thank him for his close attention to the business of his office, for his faithful attendance at our meetings, and for the courteous and gentlemanly demeanor that has ever characterized his intercourse with us; and for ourselves, and in the name of the people of the City of Gilroy we thank him for the zeal, energy, and ability that he has uniformly exhibited, and for his faithful, unselfish, honest and efficient administration of the office which he has held, and of the duties devolving upon him as executive officer of the Town and City of Gilroy." The Common Council were thereafter sworn in and took their seats. May 19th, the resignation of City Attorney Hatch, was accepted; May 23d, rules of procedure, and duties of committees, were defined; June 13th, two hundred dollars was allowed to Vigilant Engine Company, No. 1, for a bell; June

20th, permission was granted to the Pacific Pneumatic Gas Company to lay pipes and mains through the streets; July 25th, an order was passed defining the compensation to be awarded to City Clerk, Marshal and Policemen; August 1st, the report of the Fire Committee, that water necessary for city use, could be readily obtained, in sufficient quantity, from the Uvas creek, was adopted, and directions given for the construction of three tanks, each fourteen feet in diameter and ten deep, one to be placed in the center of Monterey and Sixth streets; one in the center of Monterey and Fifth streets; and the Third in the center of Monterey and Fourth streets; August 29th, the privilege to supply the city with water, was granted to Donald McKenzie and D. S. K. Buick; November 28th, instructions were given to call a mass-meeting of the inhabitants, to convene on December 2d, to discuss the propriety of contesting the Las Animas grant; while, on December 29th, the following resolution was unanimously adopted: "*Resolved*, that Hon. J. B. Felton be invited to visit Gilroy at his earliest convenience, and address the citizens, explaining his views upon the state of title to the land upon which the city is located, and the feasibility of contesting the survey, and defeating the claim of the Rancho Las Animas to the same."

Here would appear to be the most appropriate place to refer to the unsettled state of the City Titles, which is likely to be for some time to come a serious hindrance to the prosperity of Gilroy. Originally, the entire valley was owned by a few Spanish families, principally the Ortegas, Sanchez, Castros, Vasquez, and others, and comprised the following ranchos: San Ysidro, Las Llagas, Solis, Junstiac, Carnadero, Salsi Pudes, and Las Animas. Upon the last there settled a large number of Americans who, as we have seen, gradually formed the city of Gilroy. A grant having been obtained for the heirs of José Maria Sanchez, these titles were confirmed; but all held as tenants in common, and will so hold until a decision is arrived at; until this is attained no great harm may arise, but a deterring influence is exercised whereby probable settlers hold aloof. The history of the grant is shortly this: On August 17, 1803, Feliz Beranceur, then Viceroy and Governor of New Spain, made a conditional grant of the Las Animas Ranch to Mariano Castro. In the year 1828 Mariano Castro died, leaving his widow, Josefa Romero de Castro, and eight children, viz.: Josefa, Encanacion, Carmen Maria Lugardo, Joaquin, José, Felipe, and Vicente Castro, and as he died, intestate the property, according to law, descended to his heirs in the following proportions: To the widow, one-half thereof, and to the children each one-sixteenth. On August 7, 1835, Josefa Romero de Castro sold to José Maria Sanchez all of her interest therein; on September 21st, Carmen Castro sold her interest also to Sanchez; and on October 16, 1847, Joaquin Castro, José Castro, and Felipe Castro also conveyed their interest to Sanchez, thus giving him a title to three-fourths of the property, the remaining fourth con-

tinuing to be the property of Josefa, Encarnacion, Maria Lugardo, and Vicente Castro. On April 5, 1852, José Maria Sanchez filed his petition with the Commissioners to ascertain and settle private lands and claims in the State of California, sitting as a Board in San Francisco, in which he claimed the confirmation of the title to this tract under the name of El Carnadero or Las Animas. Shortly after Sánchez died intestate, leaving surviving his widow, Maria Encarnacion Ortega Sanchez, and five children, viz.: Vicente, Refugio, Candelaria, Guadalupe, and José Gregoria, to whom on February 14, 1853, the Board of Commissioners confirmed the premises and title as petitioned for by the deceased Sanchez. From this decision an appeal was taken to the District Court of the United States for the Northern District of California, and on May 18, 1856, this Court entered a decree of confirmation to the widow and heirs-at-law of Sanchez, and declaring their title valid. Some time afterward the Attorney General of the United States gave notice that the appeal would not be prosecuted to the Supreme Court, and the District Court on January 26, 1857, decreed that the claimants have leave to proceed under the former decree of the Court as under final decree, by which decree the proceedings upon this title became final. A survey of the premises, the title of which was thus confirmed, was now made and the same confirmed by the United States District Court on June 10, 1865, and a decree entered accordingly. This decree was then taken on appeal to the Circuit Court of the United States for the District of California, where, on September 7, 1866, it was decreed that the Decree of the District Court, of June 10, 1865, be in all respects affirmed. On March 15, 1873, a Patent was issued for the land confirmed and surveyed as aforesaid. On February 15, 1858, Josefa Castro, who still held her sixteenth part of the premises, sold her title and interest to Martin Murphy, who on June 9, 1860, conveyed the same to Johanna Fitzgerald. September 15, 1852, Vicente Castro sold and conveyed to Alexander Godey all of his right and title to the premises, and afterward Godey was succeeded as owner of the sixteenth part of the tract conveyed by Vicente Castro, by Thomas Rea. Henry Miller claims to have acquired all of the title and interest of Encarnacion and Maria Lugardo Castro, in the Las Animas, ten years before the Patent above referred to was issued. The Rancho contains twenty-one thousand three hundred and seventy-seven acres, lying in the southern portion of Santa Clara county, the city of Gilroy being situated upon a portion thereof.

1871.—On January 20th, it was resolved, "That His Honor J. M. Browne be, and he is hereby, authorized to employ on behalf of the Common Council the services of J. B. Felton of Oakland to test the validity of the right of the claimants of the Las Animas Rancho to the land upon which the city of Gilroy is situated." To the partition suit then instituted by the three plaintiffs mentioned above, viz.: Johanna Fitzgerald, Thomas Rea, and Henry



Thos. Jones

1. The first part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

2. The second part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

3. The third part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

4. The fourth part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

5. The fifth part of the document is a list of the names of the persons who have been appointed to the various offices of the city of New York.

Miller, there were no less than one thousand and thirty-two defendants, tenants and claimants of portions of the Las Animas Ranch, including all of the land-owners of Gilroy. Of these the first two hundred and sixty-eight alleged to hold their titles with the plaintiffs, under conveyances made by the widow and heirs of Mariano Castro; the other defendants claimed to have some interest which it is designed the action shall determine. Under date March 10th, we find that the fire-bell was wont to be rung when no occasion offered—as a frolic simply—it was therefore ordered by the Common Council, that any company causing such false alarm to be sounded would lose its claim to one month's allowance for Steward for each alarm so made; May 1st, the following Corporate officers were elected: Mayor, Volney Howard; City Clerk, George T. Clark; City Treasurer, John M. Einfalt; City Marshal, George T. Headen; Councilmen, J. H. Corey, E. B. Hitchcock, W. N. Steuben, for two years; Jacob Reither, William Isaacs, C. K. Farley, for one year. August 2d, directions were issued towards the establishment of a Fire Department; October 2d, a committee was appointed to confer with the officers of the Gilroy Water Company in regard to making the necessary arrangements for the placing of hydrants, etc., for the purpose of supplying the city with water in case of fire; December 11th, a motion that the City Attorney draft a memorial to the Legislature praying for a change in the charter, so as to extend the southern limits of the corporation southward sixty-four chains from the south side of Fourth street was carried.

1872.—January 1st. It would appear that before this date a Chief Engineer of the Fire Department and a Fire Commissioner had existed, but who these officers were the records do not show; that there were such is evident, for on that date we find the report of the first was read and filed, while the salary paid to the latter then ceased: January 15th, L. V. Parsons was appointed City Clerk, in place of Mr. Clark, who, on his resignation being accepted, received the thanks of the Council for the faithful manner in which he had performed his duties: February 5th, we note that certain residents of Gilroy had sent a protest to the Legislature against the passage for the Bill to amend the charter, on the ground that it is proposed to involve the city in a large expense for constructing a levee, it was therefore found necessary to give a distinct denial to these statements, at the same time making it known that the only work contemplated was the grading of certain streets in the western and southern portions of the city so as to prevent overflow: February 7th, an ordinance to organize the Fire Department of the city of Gilroy was passed, as also one granting a water franchise for twenty-five years, and another permitting the Pacific Pneumatic Gas Company, for a like term, to lay pipes in the streets; on this date the office of City Attorney was created, and its duties defined; while a City Police force

was established; April 1st, R. B. Buckner was appointed Police Judge; May 1st, the annual election for the corporation officers took place, the choice falling on the undermentioned gentlemen: Mayor, Volney Howard; Marshall, G. T. Headen; Treasurer, J. M. Einfalt; Clerk and *ex officio* Assessor, L. V. Parsons; Councilmen, Thomas Rea, Alexander Hay, Moses Korn, for two years; J. H. Corey, E. B. Hitchcock, W. N. Steuben, for one year; City Attorney, W. L. Hoover. July 1st, the stacking of hay within the corporate limits was prohibited.

1873.—January 6th, R. B. Buckner was elected Police Judge; May 5th, the petition of Gilroy Hose Company No. 1, to have charge of a new hose carriage, lately purchased, was granted, and a committee appointed to make arrangements for them to occupy part of the room in possession of the Eureka Hook and Ladder Company, No. 1. August 4th, an ordinance was passed regulating the speed of, and preventing the obstruction of streets by, railroad trains, and to prevent the moving of cars while detached from a locomotive. In this year, the election of city officers became biennial.

1874.—January 1st, the petition of Neptune Hose Company, No. 1, to be admitted into the Fire Department, was granted; May 5th, at the periodic election, the result was as follows: Mayor, William N. Furlong; Marshal, J. C. Woods; Clerk, F. G. Dyer; Treasurer, J. M. Einfalt; Councilmen, Thomas Rea, William H. Steuben, A. G. Cole, J. H. Gardner, J. C. Morey, Adam Riehl; September 1st, Chief Engineer Kossell draws attention to three fires during the past quarter, and strenuously urges steps to better prevent like catastrophes; October 5th, it was resolved by the Council to purchase the property of the Gilroy Fire Protective Association for three thousand one hundred and fifty dollars, such sum to be paid in installments, the effects consisting of a fire engine, apparatus, equipage and engine house.

1875.—The lease of quarters for Neptune Hose Company and Eureka Hook and Ladder Company, from Volney Howard & Co., directed to be recorded in the office of the County Recorder; April 5th, Billy Kiddey was directed to assume control of the new fire-bell; and, September 6th, the report of Chief Engineer McDuffee was, on his retirement, adopted, and James White appointed in his stead.

1876.—January 3d, J. P. Martin was elected Police Judge; January 4th, the bid of four hundred and twenty-three dollars and fifty cents, tendered by W. H. Burroughs for the construction of a City Hall, on the jail lot, was accepted; March 11th, the proposition of J. R. Rhinehart to furnish street signs, paint the names and place them in position, for thirty dollars, was adopted, May 1st, the result of the yearly election was: Mayor, William Hanna; Marshal, A. G. Hinman; City Clerk and *ex officio* Assessor, Thomas D. Satterwhite; Treasurer, Samuel Barclay; Councilmen, L. A.

Whitehurst, Adam Riehl, John Paine, Jacob Reither, Eli Emlay, Amos Robinson; June 21st, a vacancy having occurred in the office of City Treasurer by the death of Samuel Barclay, W. H. Burroughs was appointed to fill the position; July 17th, the purchase of the Eureka Hook and Ladder truck was effected; September 25th, a committee was appointed to defend the suit brought against the city, for two hundred and twenty-five dollars, claimed to be due for services rendered by City Attorney G. M. Mason.

1877.—January 1st, J. P. Martin was elected Police Judge; and on February 14th plans and specifications for the increase in size of the cisterns were adopted, and the contract awarded to W. H. Burroughs, which was afterwards rescinded, however, on the discovery that Mr. Burroughs being one of the city officers he was disqualified to enter into such an agreement, fresh bids were therefore called for, and that of James White accepted. The work was duly performed, reported as done to the satisfaction of the Fire and Water Committee, April 13th, and adopted by the Council.

1878.—January 1st, Perry Dowdy was elected Police Judge; May 6th, the following gentlemen were elected to serve as city officers for the next two years: Mayor, A. Riehl; Clerk, Thomas D. Satterwhite; Marshal, S. M. Christy; Treasurer, George E. Hersey; Councilmen, L. A. Whitehurst, Jacob Reither, D. Thornton, William Fitzgerald, M. Casey, W. R. Bane; June 3d power was granted to the Board of Fire Delegates to consolidate the two companies.

1879.—January 20th the Mayor was granted full power to act in making the necessary arrangements for the defense on the part of the city in the suit to partition the Rancho Las Animas, entitled Henry Miller *et al. versus* Massey Thomas *et al.*, who, February 3d, reported that he had entered into a contract with W. W. Hoover, to conduct the case in the city's behalf.

1880.—January 5th, Perry Dowdy was elected Police Judge; and May 7th the yearly election was held with the following issue: Mayor, John G. Otto; Clerk, Thomas D. Satterwhite; Marshal, C. S. Adams; Treasurer, George E. Hersey; Councilmen, E. B. Dangerfield, Jacob Reither, R. Cobb, H. C. Morey, William Fitzgerald, D. Thornton.

Methodist Episcopal Church, South.—This, the earliest church in Gilroy, was organized June 4, 1853, when the locality of the city was known as Pleasant Valley. The Stewards then appointed being: Joseph Davis, Dr. B. Bryant, R. B. Harris, E. G. Cannon, George Williams, and Joseph Twitchell. The only organizing member was Mrs. Nancy Bryant, wife of the doctor mentioned above, a rather curious fact, when taken in connection with the advancement since made by the body in Gilroy. The Presiding Elder on the occasion was W. E. Gobe, and the Circuit Preacher J. T. Cox, the district

being included in that of San Francisco, and the circuit embracing Santa Cruz, Monterey, San Juan, and Pleasant Valley. On May 13, 1854, a Sabbath-school was formed, and with such good promise that it opened with five teachers, twenty-five scholars and a library of one hundred and fifty volumes. During the year 1855 a church was erected at a cost of one thousand dollars, and B. Bryant, W. R. Bane, William Harvey, E. P. Wright, and John Eigelberry appointed Trustees of the building, the Rev. A. M. Bailey being Circuit Preacher. In the year 1856, Rev. J. G. Johnson succeeded Mr. Bailey. We will now give the names chronologically: In 1857, Rev. John L. Sanders was Preacher in charge; 1858, Rev. O. Fisher, Presiding Elder, T. C. Barton in charge; 1859, H. N. Compton *vice* Barton, J. W. Stall *vice* Compton; 1860, J. C. Simmonds *vice* Fisher, Presiding Elder; 1861, M. Evans *vice* Simmonds, B. R. Johnson *vice* Stall; 1863, A. M. Bailey, Presiding Elder, J. C. Pendergast in charge; 1864, S. W. Davies, Presiding Elder; 1865, J. Emery in charge; 1866, I. L. Hopkins in charge; 1867, John McClay, Presiding Elder; 1868, J. L. Burchard in charge; 1869, E. R. Miller, Presiding Elder; 1870, J. P. Jones in charge; 1871, J. C. Simmonds, Presiding Elder, J. C. Pendergast in charge; 1872, George Sim, Presiding Elder, W. F. Compton in charge; 1874, W. A. Finley in charge; 1875, W. F. Compton in charge; 1876, J. W. Mahon in charge; 1877, Samuel Brown, Presiding Elder, T. A. Atkinson, the present pastor, in charge. It should be remarked that in the year 1871 the present church was built, on Church street near Third. The present membership is about eighty; the office bearers are: D. Thornton, C. W. Bronson, W. W. Beauchamp, H. Reeve, W. R. Bane, C. Weldon, J. R. Bane, C. B. Crews, P. Dowdy, O. D. Dryden, and J. Phegley. There is in connection with the church a well-attended Sabbath-school, under the superintendence of D. Thornton.

Saint Mary's Catholic Church.—In the year 1852, Martin Murphy, Senior, at his own expense, erected a little church about five miles from Gilroy, at a place called Martinsville, which was dedicated to Saint Martin. It stood about four miles from the Monterey road, on an elevation, at the base of the foot-hills, on a plot of five acres, granted to the church. The building was inaugurated by Father De Vos, and occupied a space of forty by twenty-five feet. The land, though still the property of the church, is occupied by Dan. Murphy, a son of the donor. Up to the year 1856, the District of Gilroy had been under the jurisdiction of San José, and, till 1864, under that of San Juan, but in that year it was formed into a separate parish, a church of sixty by thirty-three feet, built, and opened by Father Hudson, the original and present pastor, December 17, 1865. The first baptismal rite performed in the little church of Saint Martin, was that of Martin J. C. Murphy, a grandson of Martin Murphy, Senior, on June 29, 1852; the first marriage ceremony was solemnized by Father De Vos, May 20, 1855, the parties

interested being William Welsh and Anastasia O'Toole. The first ceremonies of a like nature, to take place in Saint Mary's Church, was the baptism, on December 24, 1865, of Emily Ann, daughter of Edwin A. and Catharine Esworthy, now residents near the Madrone Station; and the wedding of William Jefferson to Mary Caulfield, in February, 1866. In the year 1870, the Convent was erected and a school opened on the 11th September, of that year, under Sister Superior Raymonda Cremadell. In the year 1877, Mrs. Dunn, a lady resident of San José, but formerly intimately connected with the parish, donated a sum of five thousand dollars, for the purpose of erecting a free boy's school; one thousand dollars, of this amount, was appropriated for building purposes, and the balance retained as a reserve fund. The school now is in a flourishing condition, and has an average attendance of sixty scholars, boys and girls, who receive the benefit of an excellent ordinary education.

The Christian Church of Gilroy.—This church was first organized at Gilroy, in the month of March, 1855, by Thomas Thompson, John P. McCorkle and James K. Rule, who were the first officiating elders. The members were: Massey Thomas and wife, George Anson, David Lillard and wife, Stephen W. Withers, Milton T. Holsclaw, and James Holsclaw. The first meetings were held in the old school-house, near the present church, which was erected in 1857. It stands on Church street, near Third, and has a sitting capacity of about two hundred. Its cost was about two thousand five hundred dollars. The present membership numbers between forty and fifty persons, while the officiating elders are Messrs. Wallace and Rule.

Methodist Episcopal Church of Gilroy.—The Methodist Episcopal Church of Gilroy, was organized with thirteen members, in September, 1857. Present membership sixty. Reverends Isaac Owens and William Gafney were the first pastors, and remained two years. The following pastors succeeded the above named: James Brier, Hiram Van Gundy, Rev. Caton, John Dougherty, Noah Burton, Warren Nims, J. W. Stump, A. K. Crawford, D. A. Dryden, S. C. Elliott, T. C. George, H. D. Hunter, J. A. Bruner, and J. W. Bryant. The first church building was erected in 1856, at a cost of eight hundred dollars. The present edifice was erected under the pastorate of Rev. D. A. Dryden, in 1872, at a cost of eight thousand dollars. The property is free from debt.

The Presbyterian Church.—The Presbyterian Church of Gilroy, was organized, September 16, 1860, by Rev. A. F. White, LL.D., and consisted of the following members: Horace Willson and wife, Mrs. E. E. Willson, Miss Lavinia Willson, John A. Perkins and wife, Mrs. S. C. Perkins, Rodney Eschenberg, Miss Eliza V. Fergusson, Mrs. C. E. White, Miss Mary E. White, Miss A. L. Eschenberg, J. L. Johnson and wife, Mrs. R. I. Johnson. The first

elder elected was John A. Perkins. At the outset this organization was in Old Gilroy or San Ysidro, and the first house of worship on the Llagas creek, built in the year 1859. The Rev. Mr. White remained the pastor one year, then removed to Carson City, Nevada. In September, 1862, the Rev. John Edwards became the ministerial supply, remaining four years. In 1867, the Rev. W. W. Brier, became supply. Rodney Eschenberg was ordained elder, in 1868, and continues to fill that office. The Rev. J. McLaughlin became pastor, in August, 1868, and Dr. D. Huber, elder in the same year, the former dying at Monterey in 1870. In January of the last-mentioned year, the Rev. A. M. Stewart became pastor, the location of the church being, shortly before, removed to the corner of Church and Fifth streets, Gilroy. In April, 1871, H. W. Briggs was chosen elder, serving until February, 1880, with John C. Gambol and R. Eschenberg. The Rev. Dr. Stewart's pastorate expired in April, 1874. Following him the Rev. B. T. DeWitt filled the pulpit, beginning February, 1875, and continuing till July, 1876, when he was succeeded by Rev. J. L. Drum, who served two years. In April, 1879, the present pastor, Rev. T. M. Oviatt, assumed the pastorate and was installed, May 23, 1880. The present membership is seventy-five. The house of worship is a neat, commodious, frame building, of thirty-five by sixty feet, and cost six thousand dollars, while in connection therewith is a Sabbath-school, of seventy-five scholars. The present elders are: J. Eckhart, R. Eschenberg, H. Willson, J. J. Dorland. The residence of the pastor adjoins the church.

Protestant Episcopal Church.—The first services had by the Episcopalians in Gilroy, were ordinarily held in the church of the Methodist Episcopal Body, South, by the Rev. E. G. Peake. In the Spring of 1869, a missionary district was organized in conjunction with San Juan and Watsonville, in the adjacent counties of Monterey and Santa Cruz, the devotions in Gilroy being conducted by Rev. Mr. Anderson, the missionary in charge, twice a month in York Hall. These were continued until November. Owing to the absence of a clergyman in the district, on January 2, 1870, license to hold lay services was received by Matthew Lennon, who read the prayers, and on the 9th of that month organized a Sunday-school in connection with the church. Mr. Lennon thus continued until the Fifth Sunday after Trinity, 1870, when charge of the mission was assumed by Rev. E. C. Cowan. Not long after the arrival of this pastor, steps were taken for the construction of a church edifice. Work on the building was commenced October 1, 1870, and the first service held therein January 29, 1871, by Rev. A. L. Brewer, of San Mateo, assisted by Rev. Mr. Cowan. The building cost altogether four thousand five hundred dollars, is gothic in architecture and has a shapely spire. Mr. Cowan remained in charge until March 21, 1875, when Mr. Lennon resumed his duties as lay reader and Superintendent

of the Sunday-school, and so continued until relieved by Rev. J. E. Hammond, March 21, 1876. Mr. Hammond only remained until September 24th, when the duties once more devolved upon Mr. Lennon. May 13, 1877, Rev. James B. Britton took charge, and filled the pulpit until September 4, 1879, since when Mr. Lennon has filled the trust as lay reader.

Gilroy High School.—Twenty-seven years have rolled round since the first public school was opened at Gilroy. To-day the old pioneers of the town point you to sober, middle-aged, and even gray-headed men, who twenty-seven short years ago sported in the school-yard as light-hearted urchins. The headstones in the beautiful cemetery just west of the city tell the story of others cut down in all the promise of youth and all the vigor of manhood.

In the eastern suburbs of Gilroy, in a small building on the present Hildebrand place, the first public school of Gilroy was opened. This was in the year 1853. The first teacher was John R. Bain. Next in the list of pedagogues was a Mr. Stewart, who remained but a short time.

In a long, low, badly-furnished building near the site of our present school-house, D. J. Jackson taught the "young idea how to shoot." This teacher, the third in the list; opened school with but four pupils; H. K. Brown, James M. Brown, John R. Bane, and James R. Bane.

The next teacher in the list was D. W. Herrington, who has since been District Attorney and Member of the Assembly of this State. Next in order we find Mr. Reynolds, Rev. W. R. Gober, and Mr. Featherman. Following these the school was for more than ten years under the very efficient management of Dr. A. F. White, who was assisted by his wife and Mrs. Bucknam. Mr. and Mrs. S. M. Shearer were followed successively by Jos. Horner, Mr. Breed, Azariah Martin, E. Leavesly, P. F. Hoey and Jos. Emery, whose names will be recalled with more or less pleasure by many of our present citizens.

Up to this time we have been obliged to depend upon the memory of our oldest citizens, all the school records prior to 1867 having been destroyed by fire. June 8, 1867, Perry Dowdy, J. W. Clifton, and Massey Thomas constituted the Board of Trustees, J. W. Clifton being Clerk. In the following August the Board elected Massey Thomas, Clerk, and employed as teachers, A. R. Scott at eighty-five dollars, and Isabella Gallagher at fifty dollars, per month. February 5, 1868, Henry Horner was employed for three months. April, 1868, Wm. Colwell, John Budgever, and Mrs. Hunter were employed at one hundred dollars, eighty dollars, and fifty dollars, per month, respectively. The Board now consisted of J. W. Clifton, Massey Thomas and A. O. Reeve, Mr. Reeve being Clerk.

At the annual election of 1869, H. W. Briggs was elected a member of the Board, and it was resolved to build a new school-house. For this pur-

pose a tax of seventy cents on the hundred dollars was voted by a large majority; and Mike Gray was elected Assessor and Collector. The new school-house was built by J. J. Dorland, from plans furnished by W. H. Burroughs. It cost five thousand eight hundred and twenty-five dollars. In December, 1869, the Trustees borrowed three thousand dollars to finish paying for the new building, and to furnish it.

The teachers employed at this time were William T. Holey, Miss R. M. Palmer, and Mrs. E. R. Harris, at one hundred dollars, ninety dollars, and seventy-five dollars, per month, respectively.

In August, 1870, a special meeting of the Board of Trustees was called to consider whether negro children should be admitted to the privileges of the school. J. C. Zuck appeared for the colored children; and after a full consideration of the subject, it was resolved not to admit them. October, 1870, a special tax was voted for the purpose of paying a debt upon the school-house; and John M. Keith was appointed Assessor and Collector.

In July, 1871, C. B. Towle, Miss Mary Wright, Miss Jennie McComb and Mrs. E. K. Harris were elected teachers, at one hundred and twenty dollars, eighty dollars, seventy dollars, and sixty dollars, per month, respectively. In December Miss Lilla Kratzer was elected to fill the vacancy caused by the resignation of Mrs. Harris.

In April, 1872, a tax of ten cents on the hundred dollars was voted, for the purpose of continuing the school a full ten months; and H. W. Briggs was re-elected Trustee.

In July, 1872, C. T. Johns was chosen Principal at one hundred and twenty-five dollars per month; and Miss J. McComb, Miss Mary Kline, and Miss Georgie Farley, were elected to fill the other departments.

At the annual election in April, 1873, B. F. Van Deventer was elected Trustee, and H. W. Briggs was chosen as Clerk of the Board.

It was now resolved to re-organize the school into five departments, to meet the demands of the town for greater school facilities. The salaries were fixed at one hundred and twenty-five dollars, seventy dollars, sixty dollars, and fifty dollars, per month, respectively, for the grammar, first and second intermediate, primary, and lower primary departments.

There being several applicants for the position of Principal, and the Board not being able to agree upon the choice of any one, the election for that position was deferred, and Miss Josie Wright and Miss Mary Kline were chosen for the intermediate, and Mrs. E. H. Strange and Miss Julia Martin, for the primary departments.

On the 12th of August, Mr. Van Deventer and H. W. Briggs still disagreeing as to the choice of a Principal, the election was again deferred. The Board met again on the 14th, when A. W. Oliver was elected as Principal by the vote of H. W. Briggs and Mr. Reeve, who voted by proxy

through Mr. Briggs. The election of A. W. Oliver was the result of the only disagreement that had occurred in the Board for many years.

In July, 1873, Mrs. M. Mount was elected to fill the vacancy caused by the resignation of Miss Julia Martin. A small building on the corner of Church and Sixth streets was fitted up for this department. In July, 1874, Volney Howard and William Willson were elected as members of the Board, and H. W. Briggs was again chosen Clerk. In 1874 the same corps of teachers was re-elected; and on account of the great amount of labor required of the Principal, his salary was raised to one hundred and fifty dollars per month.

The school having now outgrown its accommodations, in December, 1874, it was voted by an overwhelming majority to raise five thousand dollars, by taxing the district, and Foster G. Dyer was elected Assessor and Collector. In April, 1875, the contract for building the additional rooms was awarded to J. J. Dorland, for the sum of four thousand four hundred and forty-two dollars.

In June, 1875, the same corps of teachers were re-elected, and the salary of Mrs. Mount was increased to sixty dollars per month. At the close of the Spring term of this year a school social was given, to raise money for the purchase of a bell for the school-house. The amount thus raised, together with an equal sum donated by a number of the generous-hearted citizens, was invested in a bell, whose sweet tones have for five years been daily floating out upon the valley, and calling the Gilroy boys and girls to the pleasant school-rooms. William A. Steuben was elected as Trustee in 1875, in place of William Willson, who had resigned, and H. W. Briggs was again chosen Clerk. The old corps of teachers were all re-elected, and in addition Miss Zilpha Eames was elected as a primary teacher at fifty-five dollars per month. In August, bids for building, painting and furnishing the new school building were allowed, amounting to six thousand one hundred and seventy-two dollars and sixty-eight cents.

In 1876, L. A. Whitehurst was elected Trustee, and H. W. Briggs again chosen Clerk. The Board elected as teachers A. W. Oliver, Zilpha Eames, Kate Martin, Mrs. E. H. Strange, Mrs. M. C. Mount and Miss Anna Thomason.

In December, 1876, Miss Mary Lewis and Miss Lilla Kratzer were elected to fill the vacancies caused by the resignation of Miss Zilpha Eames and Miss Kate Martin.

In 1877, W. R. Bane was elected Trustee. The teachers elected this year were: A. W. Oliver, Miss Mary Lewis, Miss Sadie Kratzer, Mrs. E. H. Strange, Miss Anna Thomason, and Mrs. Mount. In December, 1877, Mrs. Mary A. Van Schaick was elected teacher of the upper intermediate, in the place of Miss Kratzer. At the annual election in 1878 H. W. Briggs

was again elected Trustee by an astonishing majority, and continued as Clerk of the Board. A. W. Oliver, Mrs. Mary Van Schaick, Mrs. M. Mount, Mrs. Marie A. Laird, Mrs. E. H. Strange, and Miss Mary E. Rucker, were elected as teachers. The school had now again outgrown its garments, and a new suit had to be cut for it. A separate high school department was organized. A. W. Oliver was placed in charge of this school, with a general supervision of all the lower departments. A new grammar school department was organized, and N. B. Coffman was elected as teacher, at a salary of seventy-five dollars per month. In December, 1879, Mr. J. L. Drum was elected to fill the vacancy caused by the resignation of Mr. Coffman. In May, 1879, Miss Jennie Strange, a graduate of the Gilroy High School, was elected to fill the place made vacant by the resignation of Miss Mary Rucker, all the rest of the old corps of teachers being re-elected. In 1879, L. A. Whitehurst was re-elected Trustee. In 1880, H. F. Reeve was elected Trustee in the place of W. R. Bane. In July, 1880, the entire corps of teachers were re-elected, consisting of A. W. Oliver, J. L. Drum, Mrs. Mary A. Van Schaick, Miss Jennie Strange, Mrs. Marie A. Laird, Mrs. M. C. Mount, and Mrs. E. H. Strange. Prof. Z. M. Parvin was elected teacher of vocal music, at a salary of twenty dollars per month.

In 1875 printing material was purchased, and the *Gilroy Public School Effort* sprung into existence. This was an eight-page monthly. The editing, type-setting, correcting and printing was done in the school-room by the pupils, under the direction of the Principal. This enterprise, the first of the kind, at least in many of its features, in any public school on this coast, was an effort to infuse new life and energy into the school by connecting it in this way with the busy world outside. Since its start several additions have been made to its stock of printing material, until about six hundred dollars have been invested in this enterprise. The publishing of a paper in the school has been one of the agents in making the Gilroy Public School what it is to-day. About this time a fine piano, costing four hundred dollars, was purchased by funds raised entirely from our public school exhibitions.

The play-ground of the school is very spacious, and it is one of the most attractive in the State. The grounds are shaded and ornamented by a number of grand old oaks, the men who selected the site for the school-house having evinced in this respect a taste and wisdom too seldom displayed by trustees of our towns and rural districts.

By the contributions of the pupils, "class trees," consisting of alternate pine and cypress were planted on each side of the main avenue to the building, and along the front of the lot, and the Trustees added a row of eucalyptus trees around the other three sides. These are now large enough to add much to the beauty of the yard. Believing that a beautiful

school-yard is a mighty, though silent agent in educating the tastes, habits and morals of the children, the Principal, A. W. Oliver, by personal effort, raised enough money to still further ornament the school-yard by plats of blue-grass, beautifully laid out, so as to border the main avenue and the front fence, without interfering at all with the size of the play-ground.

The course of study of the Gilroy High School is made eminently practical. The time required to complete it is three years. The classes are named: Junior, Middle, and Senior. Diplomas are conferred upon the graduates of this school, and annual graduating exercises are held.

The last class of graduates numbered five. Their names are: Agnes Doan, Katie O'Neil, Anna Darrough, Nellie Strange, and Katie Eckhart. The whole five have already taken certificates before County Boards of Examination. Katie O'Neil has taken a first grade in Trinity county, where she is at present teaching. Nellie Strange took a first-grade in Santa Clara county; Anna Darrough took a first-grade in San Benito county; and Katie Eckhart, a first-grade in Santa Clara county; Agnes Doan took a second-grade a year before she graduated, and she has not since applied for any higher certificate. The other pupils of the school, who have taken certificates to teach, are: Addie Moulty, Minnie Bennett, Harvey Burnett, Nettie Van Deventer, Eva Turner, Fannie Morey, Lou Wentz, Montgomery Short, Maggie Roberson, Jennie Strange, Lizzie Easton, Lizzie Tully, Clara Schemel, and Maria Pierrpont.

Keith Lodge, No. 187, F. & A. M.—Dispensation was granted to this lodge, January 16, 1868, the following officers serving: John M. Keith, W. M.; H. C. May, S. W.; George E. Bennett, J. W.; Morris Einstein, Treasurer; John R. Eardley, Secretary; H. B. Harris, S. D.; Jacob Reither, J. D.; J. C. Woods, Tyler. October 15, 1868, a Charter was granted, the undermentioned members being on the roll: John M. Keith, H. C. Morey, George E. Bennett, E. C. Tully, Jacob Reither, Jacob Einstein, Morris Einstein, James H. Turner, Adam Riehl, J. C. Woods, E. Bellya, Robert G. Stayton, Thomas S. Oldham, John Goeddel, James F. Johnson, Alexander Watson, William E. Bennett, Hugh S. Jones, John H. Bruen, Albert Warthen, Henry W. Briggs, John R. Eardley, P. B. Tully. The officers under Charter were: John M. Keith, W. M.; H. C. Morey, S. W.; George E. Bennett, J. W.; Morris Einstein, Treasurer; John R. Eardley, Secretary; Henry Wangenheim, S. D.; Jacob Reither, J. D.; Hugh S. Jones, Marshal; Thomas S. Oldham, Henry F. Reese, Stewards; Joseph C. Woods, Tyler. The total membership at present is sixty, and the officers for the current term: E. J. Bryant, W. M.; Thomas Darrough, S. W. (Acting); J. C. Woods, J. W.; Jacob Reither, Treasurer; M. E. Hunter, Secretary (Acting); M. Mount, S. D.; A. B. Tryon, J. D.; J. M. Einfalt, Marshal; George E. Bennett, George Seaman, Stewards; C. C. Beal, Tyler. Regular meetings are held

on Saturday evening on or before full moon. The lodge is in a flourishing condition.

Gilroy Lodge, No. 154, I. O. O. F.—This Lodge was instituted March 23, 1869, under the following Charter members: Thomas Darrough, H. W. Briggs, J. E. Guild, Amos Robinson, W. L. Hoover, J. F. Freeman, E. J. Bryant. The first officers were: H. W. Briggs, N. G.; Amos Robinson, V. G.; W. L. Hoover, Recording Secretary; C. P. Johnson, Secretary; R. H. McElroy, Treasurer; G. E. Guidd, Conductor; and E. J. Bryant, Outer Guard. The present membership is eighty-three, while the officers of the current term are: Trustees, L. H. Whitehurst, John A. Baxter, M. E. Hunter; H. D. Van Schaick, P. G.; C. S. Adams, N. G.; C. W. Bronson, V. G.; J. F. Freeman, Treasurer; F. G. Dyer, Permanent Secretary.

Gilroy Lodge, No. 26, A. O. U. W.—This lodge was instituted March 30, 1878, the following being the Charter Members: W. W. Hoover, F. W. Blake, H. M. Briggs, George E. Bennett, F. A. Bacher, D. C. Riddell, V. Basignano, L. J. Cleveland, T. D. Satterwhite, Henry Ebert, Thomas A. Atkinson, E. J. Bryant, A. D. Cameron, Caleb Crews, Thomas F. Crews, E. A. Davison, J. L. Drum, M. Eisner, E. Emlay, F. Gunzendorfer, G. F. Hagerman, G. E. Hersey, G. F. Ingham, Francis James, Julius Loewi, J. L. Raber, Samuel Rea, J. R. Reilly, Amos Robinson, W. H. Stedman, F. W. Vetterline, Fredrick Vile, Charles Weldon, Stanley Willey, J. C. Zuck. The first officers were: W. W. Hoover, P. M. W.; F. W. Blake, M. W.; H. M. Briggs, Foreman; George E. Bennett, Overseer; F. A. Bacher, Recorder; D. C. Riddell, Receiver; V. Basignano, Financier; L. J. Cleveland, Guide; T. D. Satterwhite, I. W.; Henry Ebert, O. W. The present membership is fifty-five, while the officers for the current term are: W. W. Hoover, P. M. W.; F. W. Blake, M. W.; A. Robinson, F.; M. Eisner, O.; F. Gunzendorfer, Rec.; G. E. Hersey, Financier; James L. Drum, R.; J. Raber, G.; E. H. Farmer, I. W.; S. Willey, O. W. The lodge meets on the first and fourth Monday of each month in the hall of Keith Lodge, F. & A. M.

Gilroy Fire Department.—The original company of the Gilroy Fire Department is the Eureka Hook and Ladder Company, which was organized June 17, 1871, with the following officers: Wm. Kiddey, Foreman; L. Loupe, Secretary; A. Warthen, Treasurer; who had their head-quarters where the French bakery now stands, on Old Gilroy street. In the year 1879, they coalesced with the Neptune Hose Company, when the title was changed to "Eureka Hook and Hose Company," the present officers of which are: L. Loupe, Foreman; J. Hillon, First Assistant; L. Dangerfield, Second Assistant; Frank Shepherd, Third Assistant; Y. Castro, Secretary; J. Reither, Treasurer. They are well supplied with every requisite paraphernalia, and have their rooms on Monterey street, between Fifth and Sixth streets.

Gilroy Water Company.—On August 29, 1870, the privilege to supply the town of Gilroy with water was granted to Donald McKenzie, D. S. K. Buick, William H. Hall, Martin Corcoran, and Alexander Hay, this association being afterwards duly incorporated. The water is obtained from the Uvas creek, where a dam is constructed distant from the city about nine miles in a north-westerly direction; it is thence transferred by flume to a reservoir about two miles and a half from Gilroy, brought into the city by a thirteen-inch main, and through pipes to customers. The present officers are: W. H. Hall, President; E. McLaughlin, Manager; C. C. Worthington, Secretary, and J. D. Hall, Superintendent.

Gilroy Gas Company.—This association was established in 1871 by the Pacific Pneumatic Gas Company of San Francisco, who in that year built their present premises on Railroad street, laid their pipes along Monterey street, with a few lateral pipes, and have since been in a position to supply customers. The Superintendent is E. S. Wolsey.

Gilroy Cheese Factory Association.—This association was launched into existence, at a meeting held at the San Ysidro school-house, September 9, 1877, with a capital stock of four thousand five hundred dollars, in shares of one hundred dollars each, the Directors being: W. N. Furlong, J. H. Ellis, H. S. Jones, E. A. Davison, and Henry Reeve. An acre of ground situated near the school-house, Old Gilroy, was purchased from David Zuck, on which the factory was constructed, which was completed, January 5, 1878. It is now in disuse.

Gilroy Brewery.—Adam Herold, proprietor. This brewery was built by the present owner, in 1878, of brick, and occupies an area of sixty by forty-five feet, while it contains all the modern necessary appliances for making good beer. The front portion of the premises was constructed, in 1868, by Adam Riehl, who conducted the business until September 4, 1877, when he sold out to Mr. Herold. To the rear of the brewery is the malt-house, erected in 1872 (brick), while there is the machinery to manufacture a large supply, the sale being, at present, from twelve to thirteen hundred barrels annually. Adjoining the last-named edifice is the granary, constructed in 1880, built of wood, with a capacity of three thousand sacks.

Bodfish Mills.—These mills, located in what are known as the French Redwoods, eight miles west of the town of Gilroy, were built in the year 1853, by George H. Bodfish, and now contain a Boston made steam-engine, of seventy-five horse-power, and a capacity of twenty-five thousand feet *per diem*. The engine, at present in use, is that originally put in by Bodfish, but the boiler and machinery have been replaced and a circular saw substituted for the ancient sash one. In the year 1867, Hanna & Furlong

succeeded Bodfish; the latter gentleman selling out his interest to his partner, in the Fall of the following year. In 1871, Hanna disposed of the concern to Whitehurst & Hodges, the present proprietors. These gentlemen, having purchased a thousand acres of the French Redwoods proper, in the Spring of 1869, erected a saw-mill with a capacity of about twenty thousand feet per day, at a cost of ten thousand dollars. The size of that building was thirty-five by eighty feet; it contained a forty-inch boiler, twenty-two feet long; a cylinder thirteen by twenty-four inches; and an engine of fifty horse-power. All this machinery has been moved to the old Bodfish mill, where it now is, thus making everything there new, save the engine aforesaid, for the building, even, no longer remains, it having been destroyed by fire in 1875.

Gilroy Planing Mills.—This establishment is located on Church street, in the city of Gilroy, and was erected by William Hanna, in 1869, at a cost of about thirty-five hundred dollars. When first started, much work was turned out of this mill, but of late years little else has been done than lumber dressing. The present proprietors, Whitehurst & Hodges, came into possession of the property, in May, 1878, and have, in connection with it, opened an extensive lumber yard, supplied from their own mill, where they keep, on an average, a million feet of lumber, while these redwoods are estimated to contain enough to supply the demand for the next fifteen or twenty years.

Santa Clara Valley Mills.—This extensive mill is located in the city of Gilroy, fronting on Monterey street two hundred and thirty feet, has a depth of one hundred and seventy feet, and a height of one and a half stories. It contains four run of stone, a rolling-mill, and an engine of sixty horse-power. The capacity is one hundred barrels of flour per day; the storage-room can accommodate fifty thousand tons of grain, and employment is given to eight men on an average. It is the only flour-mill in the district, it finding most of its consumers in the surrounding country and the San Joaquin valley.

Gilroy Wagon and Blacksmith Shop.—George Eustice, proprietor. The building is thirty by eighty-four feet, and was built by the present owner in 1869. The rear portion of the establishment where the planing, etc., is done is one and a half stories high, while the eastern portion fronting on Eigelberry street is but one story in height. Here the iron work is performed. The establishment stands on Eigelberry and Sixth streets.

Williams Hotel.—This house was established in or about the year 1869, by Wiley Williams, who conducted it until 1872, when he sold to William Tennant. It is situated in a central part of the town, on Monterey street, contains forty-two rooms, while, during the season, the stage to the Gilroy Hot Springs leaves its doors. The present proprietors are Lynde & Perviance.

Railroad House.—This hotel, located on the corner of Old Gilroy and Railroad streets, was built in the Fall of 1871, by Mrs. C. M. Higginson. It is two and a half stories high, forty by sixty feet, with a kitchen in rear, and contains nineteen sleeping apartments. Mrs. Higginson has conducted the house since its construction with the exception of the years 1875 and 1876, when the property was leased to George Seaman.

Gilroy Advocate.—The *Advocate* was established Saturday, September 12, 1868, by G. M. Hanson and C. F. Macy. After a few weeks the last-named gentleman retired to give place to Mr. Hanson's son. Kenyon & Knowlton took charge October 2, 1869, and Murphy & Knowlton February 5, 1870. H. Coffin became publisher January 25, 1873, and was succeeded by H. C. Burkhart January 23, 1875. J. C. Martin followed January, 1876, and D. A. Dryden October, 1876. Frank Dryden and J. Vaughn held control as lessees a few months, when F. W. Blake, its present owner, bought the stock, which was held by a number of citizens. The *Advocate* has grown up with the town, and is to be found in a majority of the houses of the township. It is highly esteemed as a home paper, and stands well among independent and conservative papers.

SAN FELIPE.—This hamlet is situated about ten miles from Gilroy in the eastern part of the township, about three-fourths of a mile from the county line. It consists of a hotel built in 1870; a post-office established July 10, 1868, with Elijah K. Dunlap as postmaster; and a store which originally stood opposite to the hotel. There are but a few houses altogether, the principal number of the residents being located in San Benito county.

San Felipe Hotel.—This inn was built in 1870 by E. K. Dunlap, and first conducted by a man named Benjamin. It stands on the main road, is owned by George Niggle, who is also proprietor of the store contiguous to it. He is also postmaster, being appointed to the position in 1876. The stage between Gilroy and Los Baños, in the San Joaquin valley, passes here every day except Sunday.

San Felipe Cigar Factory.—This company was originally established in Gilroy, about October, 1872, by the Consolidated Tobacco Company, under the general superintendence of J. D. Culp. The building was situated in the northern part of the town. Finally the association was wound up, and in 1876, the present enterprise was commenced at San Felipe by J. D. Culp. The premises consist of drying, packing, and manufacturing rooms, besides eight curing houses, situated at about a quarter of a mile from the factory. It gives employment in the cigar factory to seventy-five men, while the leaf used is entirely grown in the district.

MILPITAS TOWNSHIP.

Geography.—This township is bounded on the north by Alameda county; on the west by Alviso township; on the south by San José township; and on the east by Stanislaus county.

Topography.—The chorography of Milpitas township is somewhat varied, the western portion being level valley land, and the eastern ranges of high hills between which lie fertile valleys.

Soil.—The valley lands spoken of above, as well as the small vales of Calaveras, San Antonio and Blackbird, are extremely fertile and are composed of rich loam capable of producing all cereals, fruits, tubers and vegetables some of the orchards being a sight to visit and remember.

Products.—The products of this township differ not in any respect from the others in the county. Fruits, grain, corn, tubers and vegetables are all raised with prodigal profusion, and being on the line of the Central Pacific Railroad, can be easily transported to market.

Timber.—Beyond the oak trees which beautify the scene, and the willow copses that here and there are to be found in the smaller valleys, no timber is to be found in the township, the peculiarity of the eastern range of mountains being its lack of wood, save in the ravines and cañons.

Climate.—The climate of Milpitas township is excellent—as it is everywhere in the Santa Clara valley—while in the Calaveras valley, its beauty of position with its romantic surroundings and excellent sport, make it a spot offering great attractions to the invalid, and the sound in health.

Early Settlement.—Save the Mexican-Spaniards who owned the grants comprised in what is now this township, the oldest foreign resident we can trace is Michael Hughes, who came to Santa Clara county January 11, 1850, and two years thereafter settled in Milpitas, and erected the first frame building in the place. This gentleman was soon followed by Charles and Philander Clark; and on May 1, 1853, by Joseph R. Weller, who had arrived in the county in 1851. To this gentleman is the credit of building the second house in the township, which stood not far from his present residence



Isaac Brantham

in the town of Milpitas. He was also among the very first to commence farming operations, and fencing. In this year there also located in the township, Abraham Weller and Josiah Evans.

A short time prior to this period the Calaveras valley had been discovered and located by William Chipman and others, and by them sold to purchasers as needed. Among the earliest to arrive in this sequestered glen was Dudley Wells, whither he came November 28, 1853, and where he has since resided. Mr. Wells informs us that at the time of his arrival he first located with his partner Sheriff N. R. Harris, on the land now rented by Fred Choas. Among the residents already settled he found Charles Crosner on the land now occupied by Samuel Sherman; William Chipman resided on the land now owned by Mr. Williams of San José; two men named Grote and Rix, dwelt on the place now occupied by John T. Sherman; two brothers, M. R. and Wilson Brown were on the ground where William Carson now is; William Daniels resided on the property now owned by Hiram Pomeroy; while in the old *adobe* which stands on the farm of Mr. Choas, there lived a Chilenian and some Indians.

In the year 1854, John T. Sherman, John S. Shuart, Jesse Shuart and Alexander Campbell arrived from the mines, and purchasing the claim of Grote and Rix, settled there. Shortly after Milton Lewis and J. W. Boulware, crossed over from Fremont township with their families, and took up their residence on the lands at present occupied by James Stone and a Dane named Nelson Rasmussen. Still further down the valley, in this year Joseph Connor located on the lands now possessed by George Gaudet, but which he left, and it became the property of Doctor Johnson and William Gaines; and about the same time, Jacob Hansen purchased and settled on the property now owned by Mr. Choas. In the year 1855, we cannot trace that the little community had any accession to their strength, but, in 1856, John Carrick, who had come to the county in 1851, purchased his present property from Joseph Stevens, and, leaving his residence in San José, took up his abode in the Calaveras valley, in 1857, about the end of the year.

In early times the grant was the property of the Higuera family, who had their residence in the *adobe* building mentioned above, and it is supposed they had engaged in a kind of partial cultivation, for, when the first settlers came to the valley, evidences were visible of a rude fencing of posts and rawhide, while a crop of volunteer barley was still growing, yet the most of the area was covered with a growth of tules with here and there a willow grove.

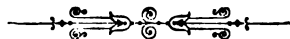
But few settlers located in the few following years. In 1857, Hiram Pomeroy cast his lot in the township; in 1858, there came John O'Toole; in 1859, A. French; and in 1860, Simon Matthews.

In the year 1855, the first school was organized, with Robert Hutchinson,

J. R. Weller, and Thomas Whitten as Trustees, the district then including Alviso. This institution was opened by Julian Pomeroy, and was but a small building, erected in 1856, at a cost of some six hundred dollars, and occupied an area of twenty-four by thirty feet. In 1868, the edifice was enlarged by an addition of thirty-two by forty feet, and costing two thousand dollars, while since, it has been in a most prosperous condition. The present Trustees are: Messrs. Ayer, Topham, and J. R. Weller, who has held this office for the last quarter of a century. The school at present is composed of two departments, and has an average attendance of a hundred pupils.

MILPITAS.—The first building constructed in the town of Milpitas is now used as a portion of the store conducted by Mr. Clark, and was erected by F. Creighton, on the position it now occupies, in 1855-6. Here was opened, in 1856, the first post-office, with Mr. Creighton as the postmaster, and J. R. Weller, Deputy. In the year 1857, W. Riddell constructed the first hotel, in a building belonging to John Gallagher. This hostelry was conducted by James Kinney, who was succeeded by A. French. In the year 1860, the structure was destroyed by fire, but was immediately rebuilt by Mr. French, who now is the proprietor.

Religious services were first held in the school-house, up until the year 1865, and a few years after, the present neat Presbyterian Church, thirty by fifty feet, was erected, and subsequently surrounded by a neat and durable fence. This little house of worship is an ornament to the village, and speaks well for the orthodox instincts of the community.



REDWOOD TOWNSHIP.

Geography.—Redwood township is bounded on the north by Fremont and Santa Clara townships; on the east by Almaden township; on the south by Gilroy township, and on the west by Santa Cruz county.

Topography.—This township is a portion of the western boundary of the great Santa Clara valley, and is, therefore, very mountainous, save a comparative small area which borders immediately on Santa Clara township. At one time the hills were covered with giant redwoods, but these have long ago succumbed to the woodman's ax, and it is not until the county line is passed that the monarchs of the forest are now met. In the vicinity of the two prosperous villages of Los Gatos and Saratoga we find the rarest and most beautiful scenery, while on the level ground is laid out a view of unsurpassed loveliness.

Soil.—In the portions of this township lying on the foot-hills the soil is that rich, black land known as adobe, while, for a considerable distance into the valley, a red, clayey, gravelly soil is found, a diversity which makes Redwood a section of the county which produces a various supply of cereals and fruits.

Products.—The products of Redwood township are chiefly wheat and fruit. In the level valley land the former is grown in great quantities, while on the eastern side of the foot-hills every manner of fruit reaches fine perfection. The influence of the Thermal Belt is here felt, so that in many of the gardens orange trees and grape vines have reached a high state of excellence, as has been the case with those of the more delicate plants.

Timber.—At the present day there is not much timber in the township, what there had been having long ago been felled. The hill-sides are covered with brushwood, while, besides the willows which grow along the margins of the creeks and in the bottom-lands, the valley is well supplied with an abundance of sycamores and oaks.

Climate.—More rain falls in this township than in any of the others on account of its mountainous formation, yet in the uplands there is not more than the soil requires. Frosts are rare, as the luxuriant growth of the orange evidences, while, in Summer the days are hot, and the nights cool.

Early Settlement.—In the year 1850 James Alexander Forbes, a Scotchman, well known in the district from his being British Consul for California, was a resident of Santa Clara, and feeling the want of a mill, conceived the idea of building one on the Los Gatos creek, where he thought there was the necessary water-power to turn a wheel to move the machinery which was to grind grain for the inhabitants of the then sparsely settled Santa Clara valley. The building was completed in the year 1854 by Mr. Forbes, in whose hands, however, the enterprise failed, and was succeeded by the French firm of V. Marzion & Co., who also were unsuccessful; the premises were next rented by Pfister & Co. and others, but through the lack of power for so large a mill they were forced to abandon it as an unprofitable venture, until finally, in 1866, it was purchased by W. H. Rogers & Co., the present proprietors.

The settlement of this township is not such a matter of antiquity as many of the others. The person longest resident in Redwood is Edward Hanrahan, who arrived in the Golden State January 16, 1849; came to Santa Clara county a twelve-month later, and settled in the township in March, 1851. Almost contemporaneous with him is Reuben McCoy, a native of Green county, East Tennessee, who arrived in California August 29, 1850, and after sojourning in Placerville, then known by the poetically ominous name of Hangtown, for fourteen months, came to the already famous Santa Clara valley, and located on the land he now occupies. Prior to this time there had settled on what is now the site of the village of Saratoga, one Martin McCarthy, who had taken up a quarter-section in that locality. What the precise date of his locating was, we have been unable to trace, but here he afterwards (about 1851) laid out a town and dubbed it McCarthysville, a name which happily was, ten years ago, replaced by the more euphonious one of Saratoga. Here Mr. McCarthy resided until his death in February, 1864.

In the year 1846, as we have stated in our remarks on the early settlement of Fremont township, there settled near Mountain View a family of the name of Whisman. In company with them was one William Haun, who had married one of the daughters of "Old John" Whisman. Haun and his wife took up their residence at the Mission of Santa Clara in 1846, and there remained until 1852. In the Winter of 1851-2 Mr. Haun, accompanied by his father-in-law, had taken up some land and commenced the erection of a water-power flour-mill, on the site of the Saratoga Paper Mill, at the same time building as a residence the house now occupied by John Maclay. The mill building was three stories in height; it was constructed with great care, and the water was conducted in a flume a distance of one-fourth of a mile to the wheel. In the year 1863 it was sold to Charles Maclay, and in that following, 1864, was destroyed by fire. It will thus be seen that very early in the history of the settlement of the township, Redwood had two flour-mills.

The next settler we have been able to discover is Thomas Scully, who arrived on the Pacific coast in May, 1849, and after taking a turn at the mines for two years came to Santa Clara county and purchased the farm on which he now resides. This pioneer has been a continuous resident of the township since August 1, 1853. In the Fall of this year Ira J. Lovell settled where he now resides, three miles north of Los Gatos; and in the following December William Cox took up his residence in the township, and, after working one season, acquired a tract of land on which he now has a fine residence, with well-kept grounds. For the two years following there were no additions to the adult population, apparently, but in 1856 there arrived a family named Parr, whose children have, since the death of the father, on September 11, 1867, succeeded to the considerable property left by him. Mr. Parr, with his wife and children, came to the State in 1846 located in Livermore valley, now in Alameda county, where they resided until 1849. In that year they took possession of the Laurel-wood Farm, near Santa Clara; in 1853 they transferred their *habitat* to Almaden township, and, three years later, as stated above, made their home in the township now under notice. In 1857 and 1858 we are not aware of there being any new-comers. In 1859, however, we have the information that in the month of February Doctor William S. McMurtry settled in Lexington, whither he went to establish himself in the lumber trade. That Summer he rebuilt a saw-mill which had been erected in the previous year by Roorck & Herrick, about four miles above the village. At this time there were residing in Lexington, S. N. Johnson, Scott Hall, James Kennedy, the toll-keeper on the Santa Cruz turnpike road, R. S. Swain and a store-keeper named Josephs. Dr. McMurtry is now a resident of Los Gatos, to which place he moved in the year 1868. The next to take up a permanent residence in the township was John W. Lyndon. This gentleman, after clerking three years in Josephs' store in Lexington, started business on his own account. In 1868 he settled in Los Gatos, purchased from H. D. McCobb the "Ten-mile House," and opened it as a hotel, but, disposing of it a few months later to Morgan Covell, he opened a store for general merchandize in the village. Mr. Lyndon repurchased the hotel from Jacob Rich, four years later, gave to it the name of the Los Gatos Hotel, and now leases it to James J. Eddy. In the month of December of this year Benjamin W. Hollenbeck purchased a home in Saratoga; and about the same period John F. Mason came from Alviso, and bought a parcel of land situated on the north side of the Los Gatos creek from Charles Maynard. Mr. Mason informs us that when he arrived in the locality the only other resident, for the mill was then unoperated, was a man named Rockeyfellow, who kept the hostelry known as the "Ten-mile House"—a ten-foot shake shanty that was destroyed by fire some years later.

Thus far do we take the reader in considering the general settlement of the township. It will be seen that the population had no rapid growth. In 1859 the greater part of the low-lying lands were yet covered with brushwood; fencing had not been then commenced, and cultivation of any kind was only to be found at widely separated intervals. Between the hills and the city of San José there roamed at large, bands of untamed cattle; the thickly-tangled undergrowth on the mountain slopes were the resort of beasts of prey, while in that day it was little thought that two decades would see immense fruit and grain crops, with the wild shrieking iron-horse to bear away the produce, after tapping the incalculable resources of the redwood forests in the adjacent mountain fastnesses.

These early settlers contented themselves chiefly in the rearing of live-stock. In the year 1861 cultivation became general, and with it fencing commenced. In 1862 the old Forbes mill was taken in hand by Samuels & Farmer, the former of whom built the first dwelling-house on the east side of the creek in the town of Los Gatos. It is now occupied by Dr. McMurtry. Shortly after, there came a man named Van Taveron, who settled about a mile from where the town is built. Two miles from the town there located William Scott, while adjoining Mason's property to the north one Vinage Gariagus took up his abode. The land to the east of the stream was the property of Marzion & Co., that to the west—a tract of twenty-five hundred acres—belonged to Auzerai Brothers.

LOS GATOS.—How this pleasantly situated little village came to get its name of "The Cats," we are not in position to say, but this we dare assert, that there are few spots in the broad county of Santa Clara, indeed we do not except the State in its immense length, where we find so many charms of scenery and vegetation. It was truly an inspiration which led the selection of such a spot by James A. Forbes for the erection of his mill. Gurgling and babbling from out of an impenetrable cañon rushes with many an echo this playful stream, joyous when he first saw it mayhap, but often swollen into a wild and angry torrent. We can almost now fancy the Scotchman standing on the bank of this rivulet, while his thoughts carried him back to similar scenes in "the old country." Like shadows on the hill-sides, idea chased idea, until there loomed up before him the brook wherein, in days gone by, he had been wont to hook the speckled trout from out the shaded pool or mimic rapid. Now there arose a vision of the quaint old mill, built of stone, roofed with straw, with a gigantic wheel slowly splashing its awkward round, assisted to that end by a tiny aqueduct. In a twinkling there flashed through his brain the desire to make the dream a reality, and there and then did he determine to put his idea into execution. About the year 1850 he commenced the erec-

tion of his mill, but it was not completed until 1854. Considering the times, it was a well-constructed building, with wheels twenty feet in diameter, but with the slight fall of water of only twenty feet. Failing in the hands of Forbes the works passed into those of a French firm, V. Marzion & Co., who also failed; it was then rented by Pfister & Co., and others, for a term of years, who found it unprofitable, owing to the lack of power for so large a mill, through the dry season. In 1862 Samuels & Farmer, who rented the mill, constructed a new dam, and made a head of thirty feet of water. In 1866 W. H. Rogers & Co., on the purchase of the property, raised the head to sixty feet, and in lieu of the former overshot wheels, placed those known as "turbine." In 1870 the head of water was raised to two hundred feet, a power that has been found ample. When W. H. Rogers & Co. took possession of the establishment the company was made a joint stock affair, with the following incorporators: W. H. Rogers, J. Y. McMillin, W. H. Rector, W. S. McMurtry and C. C. Hayward. In 1869 they erected a four-set woolen mill, two stories high, covering an area of fifty by sixty feet, and finding employment for thirty persons, about one hundred feet south of the flour-mill. It was run successfully until 1872, when it was unfortunately destroyed by fire, and has not been rebuilt. It may be as well to mention that from the tail-race of the Los Gatos mill comes all the water supplied to the San José Water Company, the immense volume thus required being conveyed through pipes into reservoirs, until distributed throughout that city.

We have now shown that the first building, in the little town, was the mill. In 1859 there were no houses except the mill and two shanties, built for the laborers engaged on its reconstruction; in 1861-2, however, the dwelling, in which Dr. McMurtry now resides, was erected by Mr. Samuels, while there were a few shanties springing up around, but no actual rate of building can be followed, neither can we trace the names of permanent settlers, most persons, then coming to the village, being transitory *employés* on the mill. About 1863 a store and lumber yard was started, by W. S. McMurtry and J. Y. McMillin, on the ground now in possession of the Los Gatos Manufacturing Company; while, about this time, a school was inaugurated. We have mentioned above the establishment of the hotel. On December 8, 1864, Henry D. McCobb was appointed the first postmaster; in 1871 a church was built; and early in 1877, the trains of the South Pacific Coast Railroad, first made their appearance in the little town; since when its prosperity has been on the increase.

Los Gatos, situated ten miles from San José, at the mouth of a cañon in the Santa Cruz mountains, is a romantic spot, and will, in the course of time, become a favorite resort for invalids and world-weary people, from the fact of its possessing a fine climate for both health and semi-tropical fruit culture.

Here flourishes the "green bay tree," its pungent perfume, glossy and green foliage, and a symmetrical form, being among its many virtues. The orange, lemon, fig, almond, prunes, pomegranate, and all the more hardy varieties of fruit, grow to high perfection, while of the grapes, sunny France, herself, cannot boast of better than are grown in this locality.

Los Gatos Lodge, No. 76: A. O. U. W.—This society was organized in Los Gatos, January 11, 1879, with the following names on the original Charter: J. T. Harris, T. S. Cleland, H. C. Black, John B. Waterman, A. T. McFarland, Homer A. Swaney, W. R. Rogers, Henry U. Ball, Thomas W. Cox, and William Parks. At the end of the thirty days' extension allowed by the Grand Lodge, the following names were added to the list of Charter Members: J. W. Miller, William Lundy, A. Lee, F. Reynolds, S. Bishop, John Erickson, C. G. Erkson. The first officers elected to serve were: J. T. Harris, P. M. W.; T. S. Cleland, M. W.; H. C. Black, F.; J. B. Waterman, O.; A. F. McFarland, Recor.; H. A. Swaney, Finan.; W. R. Rogers, Recr.; H. U. Ball, G.; Thomas W. Cox, I. W.; William Parks, O. W. The lodge has at present twenty-six members on its roll; meets at Lundy's Hall every Thursday evening; and is in a flourishing condition. The officers for, the current term, are; E. F. Reynolds, P. M. W.; J. W. Miller, M. W.; John Erickson, F.; H. U. Ball, O.; T. W. Cox, Recor.; J. McWhorter, Finan.; E. Chase, Recr.; S. Dahal, G.; John McCoy, I. W.; Arthur Murphy, O. W. Trustees; William Parks, H. U. Ball, William Lundy.

Victoria Lodge, No. 328, I. O. G. T.—This lodge was instituted May 21, 1880, with the following Charter Members: W. W. Parks, W. D. Hudson, Mrs. W. D. Hudson, D. Parks, Mrs. Clara Parks, M. Swall, J. R. Hughes, P. Peterson, Mrs. P. Peterson, Frank Reynolds, John Reynolds, E. Main, John Franklin, Miss Verena Daves, Miss Clarissa Crocker, W. Johnson, Rev. Jesse Smith, Mrs. Lena Smith, George McMurtry, S. Talbot, W. H. Spencer, Roderick Forbes, Mrs. George Senor, P. Moiles, F. Waterman, Z. Le Fevre, J. Smith, H. W. Vandervaat, Mrs. M. J. Vandervaat, F. Whitaker, O. Rodgers, Mrs. S. Andricks, Mrs. Mary Frost, F. Perkins. The original officers who served were: W. D. Hudson, W. C. T.; Mrs. H. A. Hudson, W. V. T.; Rev. Jesse Smith, W. Chaplain; F. Perkins, W. Sec.; Miss Verena Daves, W. Asst. Sec.; John Reynolds, W. F. Sec.; Mrs. S. Andricks, W. Treas.; J. Franklin, W. M.; Miss C. Crocker, W. D. M.; F. Whitaker, W. I. G.; O. Rodgers, W. O. G.; Mrs. C. Parks, W. R. H. S.; Mrs. M. Frost, W. L. H. S.; F. Reynolds, P. W. C. T. The lodge, though recently established is in a flourishing condition; has seventy members on its roll, and meets in, Rodgers' Hall every Wednesday evening. The present officers are: W. W. Parks, W. C. T.; Mrs. M. J. Vandervaat, W. V. T.; Mrs. E. E. Hoyt, W. Sec.; Albert Marshall, W. Asst. Sec.; George McMurtry, W. F. Sec.; Miss

Jessie Smith, W. Treas.; D. Parks, W. M.; Mrs. H. A. Hudson, W. D. M.; Miss Florence Johnson, W. I. G.; Fred Baker, W. O. G.; H. W. Vandervaart, P. W. C. T.; Rev. Jesse Smith, W. Chaplain; Mrs. Baker, W. R. H. S.; Mrs. Lena Smith, W. L. H. S.

Los Gatos Flouring Mill.—The early history of this enterprise will be found above; we will here record what has been done by the present proprietors, W. H. Rogers & Co. In the year 1880, while Mr. Rogers, was attending the Miller's Convention, at Cincinnati, he became convinced that improvements were necessary in the working of his establishment, if he wished to keep pace with the times. He therefore purchased an entire new stock of machinery, and forwarded it to this coast. In July, 1880, the old mill was shut down, the required improvements effected, and re-opened about November 1st of the same year. The mill, as it stands, is the original building erected by James Alexander Forbes; is four full stories in height, and covers an area of fifty by eighty feet. In 1880, a store-room building, thirty by eighty feet, with two full stories was added, having a capacity of five thousand barrels of flour and twenty thousand bags of wheat. The most improved machinery for making granulated flour was adopted, consisting of eight runs of the Milwaukee Middlings Millstone Company's mills; five other runs of stone; three sets of the Downton chill iron rolls; eighteen flour bolts; two bran dusters; six middlings' purifiers; twenty-eight sets of elevators, which include large receiving and shipping elevators; two smut machines; one large wheat brush; four wheat graders and separators; and all the other machinery necessary for a complete new process mill, the whole of which was erected under the personal supervision of George B. Smith, of the mill firm of Smith Brothers, of Milwaukee, who came to California for this especial purpose. The Los Gatos mill has been run, from that time to the present, with entire satisfaction to customers and stockholders, and with the very best results. Its capacity is two hundred barrels of flour per day, besides a large amount of barley and feed. A side track runs from the main line of the South Pacific Coast Railroad to the mill, placing it in direct communication with all points on that line.

Lyndon Hall.—This Hall was built in the Fall of 1878, by John W. Lyndon, and is situated next to the Los Gatos Hotel. It is eighty feet in length and thirty-two in width, fitted with a stage at the northern end, and has a seating capacity of from six to seven hundred.

Los Gatos Hotel.—This establishment may be said to have had its incipience in a cottage which stood a short distance above the railroad depot, owned by H. D. McCobb, who, in 1868, sold it to J. W. Lyndon, who disposed of it to Morgan Covell; it then passed into the hands of Jacob Rich.

and, in 1872, was re-purchased by Mr. Lyndon, who, in 1878, leased it to James J. Eddy. On the arrival of the railroad, in 1878, it was moved to its present position opposite the depot, and considerable additions made to it. It now contains nineteen rooms, including parlor, dining-room, etc., the charges being moderate.

The Davis & Crowell Lime Quarry.—In the month of March, 1879, G. Guerinot disposed of a quarter-section of land in the hills, about one mile to the east of Los Gatos, to Edward Skuse, who opened a quarry thereon, but, owing to financial difficulties, in February, 1880, he sold the property to Davis & Crowell, the present owners. The kiln has a capacity of sixty barrels *per diem*, and the entire works are under the superintendence of S. S. Holmes.

The Remillard Lime Quarry.—These works are situated on the hills about one mile south of Los Gatos, on land owned by Frank Veiser, who leased, in March, 1880, to Peter Humel, for a term of six years. In the following May, he transferred his lease to the Remillard Brick Company, who had the term extended to ten years. Up to the present time, about eight hundred barrels of lime have been taken out of the quarry, under the supervision of Peter Humel, the Superintendent.

SARATOGA.—In or about the year 1849-50 there took up a quarter-section of land, which included the site of the village of Saratoga, one Martin McCarthy. In the year 1851 he laid out a town, gave it the name of McCarthysville, and built the first house there, that in which his widow now resides. The next settlers to come to the village were William Haun and his wife, and his father-in-law, John Whisman. In the Winter of 1851-2 they commenced the erection of a water-power flour-mill on the site of the Saratoga Paper Mill, and the residence in which now lives John Maclay. The mill was destroyed by fire in 1864. The next house to go up was that of Ashbury Shepard, a portion of which is now used as the Temperance Hotel, and in the same year, 1853, the residence now of Mrs. Haun, was erected by a man named Beckwith. At this period Washburn & Pipkins had a store in the old house next door to Frank Whipple's saloon, while Henry Jarboe had then opened the first blacksmith's shop, and on November 2, 1855, Levi Millard was appointed postmaster for McCarthysville and Bank Mills.

In the month of December, 1863, a re-survey of the town site was made by C. T. Healy and filed in the office of the County Recorder, which shows an addition to the original limits of three blocks of twelve lots each, three of six, one of seven, eight and nine lots respectively, while names were given to the streets, such as Lumber, Oak, and St. Charles; Second, Third, Fourth, Fifth, and Sixth.

Near to the village is situated the Congress Springs, one of the most popular resort in the State, the waters being equally beneficial at all seasons of the year. Congress Hall was opened June 16, 1866, was originally fifty feet square, and was established as a Summer resort by such leading capitalists as D. O. Mills, A. Hayward, A. J. Easton, E. W. Knight, O. F. Griffin, Louis McLane, John O. Earl, and George R. Spinney. The present length of the building is two hundred and twenty-five feet, and contains sixty-three well ventilated rooms. A more extended notice of this establishment, now conducted and owned by Lewis A. Sage, will be found on page 39 of this work.

In Saratoga are situated the Saratoga Paper Mill, and Caledonia Pasteboard Mills, histories of which will be found below.

Located as Saratoga is on the foot-hills, the views from some points are magnificent. The mountains rise in irregular cones, one close upon another; some bold, others covered with timber or brushwood, and all running down into softly undulating hills dotted with evergreen and majestic live-oaks, which shelter many a neat homestead. To the east the mountains rise sharp and clear into the infinite blue of the cloudless sky; deep shadows darken the many cañons and defiles; below, extending to the Bay of San Francisco, lies the gorgeous Santa Clara valley, while off to the right the range of the Contra Costa is detected in the dim distance, but nearer are the blue peaks of Mount Hamilton, grander than the rest, but not too grand for its being the site of the finest astronomical observatory in the world.

Saratoga Paper Mill.—This enterprise was established in the year 1868, by E. T. and W. T. King, who, shortly after, took A. Pfister into partnership, and the firm became known as E. T. King & Co. In 1874 the establishment was amalgamated with the Lick Mills property, when Blake, Robbins & Co., of San Francisco, were taken into the firm, the association converted into a joint stock company, and both concerns conducted, until 1878, as the Saratoga and Lick Mills Paper Manufacturing Company. In 1878, A. D. Remington, of the Remington Paper Company, Watertown, New York, purchased, and segregated the Lick property, and shortly after, the mill now under notice was leased to E. T. King, under whose management it now is. The capacity is about two and one-half tons daily; the power used is steam; while there is an annual consumption of two thousand cords of wood, and twelve hundred tons of straw.

Caledonia Pasteboard Mills.—This establishment was erected about the year 1868, by Peter Somerville, who conducted it until the Summer of 1878, when he assigned it to his brother. In January, 1879, the property was leased for a year by Brown Brothers, who purchased it in January, 1880, and who now own the enterprise. When they took possession the quality

of the manufacture had much deteriorated, but by earnest labor, and careful workmanship, so good a business has been built up that the premises are too small, and a removal to more ample quarters in Santa Cruz county is contemplated.

LEXINGTON.—This is a quiet hamlet situated about two miles above Los Gatos, in the Santa Cruz range of mountains. It is unnecessary to say more of it than that at one time it had a considerable lumber trade. Some three-and-twenty years ago Rook & Herrick constructed a saw-mill nearly four miles above the village, which in 1859 was reconstructed by Dr. W. S. McMurtrey, now of Los Gatos. When this gentlemen went to reside there, among the residents were S. N. Johnson, Scott Hall, James Kennedy, the toll-keeper on the Santa Cruz turnpike, while R. S. Swain conducted a small hotel, and a man named Josephs had a store. Lexington is now a voting precinct, but otherwise has no prominence.

ALMA.—This is a hamlet on Los Gatos creek consisting of only a few houses, and bearing no importance of any kind.

WRIGHT'S STATION.—This is a depot on the narrow guage line of the South Pacific Coast Railroad, and is principally composed of the cottages of their workmen, and the necessary shops.



SAN JOSÉ TOWNSHIP AND CITY.

IN this chapter of our history of Santa Clara county we have been perforce obliged to adopt a different method from that pursued in the annals of the other townships, for the population is so large in San José that it would have been next to impossible to follow the residents as they arrived and settled in so densely crowded a district. With this simple observation we leave our researches in the hands of the reader.

During the Gubernatorial *régime* of Don Felipe de Neve, which we have already shown commenced in December, 1774, and closed September, 1782, reports upon the topography, character and condition of Upper California, and what situations were most suitable for establishments were frequently made to His Most Catholic Majesty, the King of Spain, through the Viceroy in Mexico. The country from south to north, from San Diego to the Bay of San Francisco, then the Dan and Beersheba of our State, was carefully examined, and permission sought to locate two pueblos or towns, viz.: that tract of land, now Los Angeles, which lies contiguous to the river La Portincula, one hundred and twenty-six miles from San Diego and six from the Mission of San Gabriel; and also, that tract on the margin of the river Guadalupe, seventy-eight miles from the presidio of Monterey forty-eight from that of San Francisco, and two miles and a quarter from the Mission of Santa Clara. The dispatch embodying these measures bore date June 3, 1777, but so long was the Governor in receiving the awaited reply, owing chiefly to the distance which separated him from the City of Mexico, that he took the responsibility upon his own shoulders, and directed Don José Moraga, the Lieutenant commanding the presidio of San Francisco, to detach from garrison duty there nine soldiers of known agricultural skill, and two settlers, with three others obtained for that specific purpose, and with them proceed to form a settlement on the banks of the Guadalupe. On November 29, *Anno Domini* 1777, this little band planted themselves on the margin of that stream, about a mile and a quarter north of the center of the present city, dubbed their camp a pueblo, and gave to it the name of San José de Guadalupe, after the holy Saint Joseph.

The information hereinbefore given is derived chiefly from Mr. Hall's "History of San José;" let us see what an older authority has to say in regard to the founding of the Pueblo de San José de Guadalupe: In the "Noticias de Nueva California" by the Rev. Father Palou, among the manuscript archives

of the City of Mexico, we are distinctly told that the pueblo was founded November 7, 1777, and that the persons taking possession, made their settlement in the name of his Majesty, making out the square for the erection of the houses, distributing the *solares* (house-lots) and measuring to each settler a piece of ground for the sowing of a *fanega* of maize (two hundred varas by four hundred,) and for beans and other vegetables. The Regulation for the Government of the Provinces made by Governor Neve, at Monterey, June 1, 1779, and approved by the King, by Royal Order, October 24, 1781, as is hereafter shown, allowed to each settler four lots of two hundred varas square, besides their house-lot, and was acted upon by the Commissioner—but we must not anticipate.

On April 15, 1778, Governor Neve communicated his step to the Viceroy, who, in reply dated July 22d of the same year, fully approved the action taken, and warmly commended the Governor for his share in the affair. As in duty bound the Viceroy reported the measure to the Central Government, a full approval being received by letter bearing date March 6, 1779, wherein His Majesty expressed his supreme satisfaction at the action of Felipe de Neve, who was charged to use ever caution to the end that the new pueblo be an assistance and not a hindrance to the neighboring Mission of Santa Clara.

The little company of pioneers were early left to their own devices for the Lieutenant had returned to his military duties at San Francisco. It is not hard to picture their solitude. True the same genial sun that had warmed them in their aimless youth now shown upon the budding of a useful manhood; the same moon which caused the merry shadows to gambol around their Mexican homes, now lent her pure rays to illuminate their lonely dwellings; and surely these are the same stars that playfully twinkled over their infantile diversions and now brighten their monotonous tedium; therefore rather than permit the canker worm of care to ingraft itself upon their minds, they were up and doing, and first commenced a desultory kind of cultivation, and so went on until the sway of Governor Neve had ceased and Don Pedro Fages was appointed in September, 1782.

On the 24th December, of that year, Lieutenant Moraga, who, it would appear, is intimately connected with the earliest history of this city, was appointed a Commissioner to proceed to San José to parcel out the land to the nine founders, so that the possessions should be uniform and regular, and that a proper line of demarcation should be introduced between vacant lands, common lands for pasturage, vacant suburbs for building, and wood lands. This duty Moraga performed in the following manner, according to his official report, dated, September 1, 1783, a document bearing his own, as well as the signature of the two assisting witnesses, whom he was ordered to appoint, Felipe Tapia and Juan José Peralta: On May 13th, of that year, he nominated

the witnesses to office, which was duly accepted, and then on the following day, the 14th, he called the nine founders and the assisting witnesses to appear before him, when, in his company, the lands to be distributed were visited, and in the presence of all, the division of each was given, as under: *First*.—To Ignacio Archuleta he gave a house-lot, thirty varas square, adjoining, on one side, that on which stood the Ayuntamiento, or House of the Town Council, and on the other, the lot of Manuel Gonzales, as well as two hundred varas square (comprised in four *suertes*, or out-lots, two watered, and two dry), of cultivable lands, all of which were irrigable, and possession given to the said Archuleta. *Second*.—On the 15th, he gave the same amount of land to Manuel Gonzales, whose *suertes* were bounded by those of José Tiburcio Vasquez, Bernado Rosales, Claudio Alvires, and Sebastian Alvitre, the limits of his house-lot being that of Archuleta, on the one side, and Vasquez on the other. *Third*.—He gave a like quantity of land, on the same day, to José Tiburcio Vasquez, the tillable land thus apportioned being bounded by those of Francisco Avila, Bernado Rosales, Manuel Gonzales, and Manuel Amesquita. *Fourth*.—May the 16th, he assigned to Manuel Amesquita a house-lot bounded on one side by that of José Tiburcio Vasquez, and on the other, by that of Antonio Romero; that he also gave him four *suertes*, bounded on one side by those of Claudio Alvires, and on the other by the lands of José Tiburcio Vasquez. *Fifth*.—The next day Antonio Romero received a house-lot, bounded on one side by that of Manuel Amesquita, and on the other by that of Bernado Rosales, also four out-lots bounded by those of José Tiburcio Vasquez and Francisco Avila. *Sixth*.—That on the same day he gave a *solar* (house-lot) to Bernado Rosales, bounded by that of Antonio Romero on one side, and on the other, by that of Francisco Avila; four *suertes* were also given, their limits being the lands of Francisco Avila, and Manuel Gonzales. *Seventh*.—To Francisco Avila, he apportioned, on the 18th, a house-lot, bounded on the one side by the *solar* of the Ayuntamiento, and on the other by that of Sebastian Alvitre; also four *suertes*, bounded by those of José Tiburcio Vasquez, Antonio Romero, and Bernado Rosales. *Eighth*.—That, on the same day, he assigned to Sebastian Alvitre, a *solar*, bounded on one side by that of Francisco Avila, and on the other by that of Claudio Alvires; as well as four out-lots adjoining those of Bernado Rosales, Claudio Alvires, and Manuel Gonzales. *Ninth*.—And that, likewise on this date, he gave to Claudio Alvires, a house-lot, bounded by that of Sebastian; also, four out-lots, having as their boundaries, the parcels of lands allotted to Sebastian Alvitre and Bernado Rosales. As possession was given to each new-fledged land-owner, he was made the recipient of a branding-iron to mark his cattle; he also received a title to each session; and was instructed to surround his house-lot with an alley ten varas wide; and around each *suerte*, or out-lot, one of four varas.

PUEBLO.

Acquia Madre.

Realengo	De Manuel Amescuita	De Yden Amescuita	Realengo
De Sebastian Albitre	De Claudio Albiros	De Yden Albiros	De Manuel Gonzales
De Yden Albitre	De Bernardo Rozales	De Yden Rozales	De Yden Gonzales
	De Franco Abila	De Yden Abila	De Josef Tiburcio Basquez
	De Anto Romero	De Yden Romero	De Yden Basquez
	De Ygnacio Archuleta	Realengo	
	De Yden Archuleta		

Rio de la Saca de Agua.

Nota.

La reparticion de tierras demarcadas se hizo pormi el tente, y conte del Presd. de S'n Fran'co con arreglo à la orden del Sefi Gov'r y se entos garon à sus deseños el dia 23 de Abril de 1781.

Sn Fran'co 7 de Junio de dho año. **JOSEPH MORAGA,**
Rubrica.

Nota.
 Todo lo sobran- te en esta me dida este muchos bajos porto que qd. do realengo.



Albert Chester

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On the 19th, the action conferring possessory rights having been effected, the Commissioner, with the two assisting witnesses and the founders, crossed the Guadalupe to its western bank, and measured from the dam to the boundary line separating the lands of the Santa Clara Mission and those of the pueblo, and found it to be nineteen hundred and fifty-eight varas. One-half of this survey was assigned to the pueblo, for *propios* (common lands with pasturage and fields rented for the purpose of raising a revenue for municipal purposes), the other half being looked upon as vacant, excepting, always, such portions as were intended for house-lots and out lots—*solares* and *suertes*; that the *ejidos*—vacant suburbs intended to be used for house-lots as the pueblo increased—had been assigned near the buildings, where the ground was high, the dimensions being fifteen hundred varas in length, and seven hundred wide. We are told that this report is somewhat vague as to the exact boundaries of the *ejidos*; a great fault, indeed, inasmuch as under the Spanish and Mexican laws it was absolutely necessary to clearly define every class of pueblo lands, and particularly the *ejidos*, as they were laid off around the town expressly for building lots, and could not be granted for any other purpose. Prescription did not run against them.

Thus it will be seen who the actual fathers of the present prosperous city were. Let us, for the sake of conciseness, re-enumerate them. There were: Ignacio Archuleta, Manuel Gonzales, José Tiburcio Vasquez, Manuel Armesquita, Antonio Romero, Bernado Rosales, Francisco Avila, Sebastian Alvitre, and Claudio Alvires. This is a fact, the value of which can not be over-rated, yet there is another matter of as much importance, and which is of deep interest, and that is, the relative position of each man's land, and the general idea of the situation. To bring this clearly to the mind of the reader, we here produce a copy of the original plan of the pueblo, as allotted by Commissioner Lieutenant Moraga, still it is a vast pity that a complete plan of all the lots he handed over to the *pobladores* was not made, and if made, not kept in the archives, for, owing to the insufficiency of the plan, and there being no monuments, it is next to impossible to designate their exact location.

We have already said the first houses stood about a mile and a quarter from the center of the present city; that is, the precise locality in which they were erected, is about where the first bridge, on the road to Alviso, is built. Here, however, they were not to remain, or rather, it was not long before the settlement was to be moved.

Up till the year 1785, the little band of settlers were the victims of all the vicissitudes attendant on stormy, cold and wet winters, indeed, the end of 1778 and beginning of 1779 saw them flooded almost out of house and home. These discomforts, added to hostile demonstrations by predatory bands of

Indians, caused them to talk over the matter of translocation, and seek a remedy at the hands of the Government. With this end in view, a formal petition was drawn up and transmitted to the Governor, in which permission was asked to remove the pueblo to higher ground, a little distance south of the position it then occupied, but that official not having the necessary power to issue such an order, he made a full report of the subject-matter, under date August 5, 1785, to the Commandante-General of the Intendencia, at Arispe, Sonora. In those days, though, it took much time to move the wheels of official machinery, delay followed delay, the last more vexatious than the preceding; form and ceremony went hand in hand to balk the desire of the little band of pioneers; day followed day, weeks grew into months and these into years, and yet no reply came to hand, nor was any received until well on into the third year after the petition was sent. At long last a decree was issued by the Commandante, June 21, 1787, authorizing the settlers to move to the "adjacent *loma* (little hill) selected by them as more useful and advantageous, without changing or altering, for this reason, the limits and boundaries of the territory or district assigned to said settlement and to the neighboring Mission of Santa Clara, as there is no just cause why the latter should attempt to appropriate to herself the land." Still, this *dictum* would appear to have been without effect, for ten years later it is on record that Don Diego de Borica, who was Governor between the years 1794 and 1800, requested Don Gabriel Moraga, as to what means could be devised, to free the inhabitants from their periodic martyrdom. Moraga replied, January 8, 1797, that the only resources whereby the pueblo could be freed of this annual flood, were: "To move and build houses on the other side of the river, where there is a *sitio apropiado* (an appropriate site), about two gunshots distant, in front of which are oaks, in the same plain that extends to the Mission. This *paraje*, place or site, is the property of the pueblo and within its territory, and without any controversy in relation to its boundaries. This place possesses great advantages and security against the rising of the water, and the principal one is the facility of traveling to the Mission; although the water may be high the passing will not be inconvenient, and there will be no detention from mass or confession (which at present the people are deprived of), and the traveling will not be disagreeable; but in weather like the present there is no alternative (although a sudden death or accident should occur), except to carry on one's shoulders the sick person; and this, with a thousand difficulties they would meet, would not be an easy task, nor one to which the Reverend Fathers should be exposed. These are the reasons, sir, which the inhabitants, except four individuals, have made known to me. Indeed, Ygnacio Vallejo is of the same opinion." In this report Moraga embodied the views of the said Vallejo, given in these words: "At the time I obtained command as Commissioner of the pueblo, the water

raised so high that a little more would have carried off our houses. Some of them were much injured, and we were deprived of going to mass and confession, not being able to pass to the Mission without going round circuitously a distance of three leagues, to avoid the bad places which were so numerous in such weather. And in the bad places many were left afoot without being able to use their horses; nor could they look after their *cavallado* (band of horses grazing), nor use them to notify each other in case of any trouble or accident. Already in the pueblo and in the adjoining Mission, on such occasions, the wild, unchristianized Indians have committed depredations. Finally, for sowing wheat, corn and other grains, the carrying of the mails, and the passage of pack-trains, it offers great advantage, as well as for timber and wood; everything is nearer and more convenient, and I fully approve of the view of the citizens."

The above would appear to have been good and sufficient reasons why the pueblo should be relocated, and to be such they were proven, for the fiat went forth that the prayer of the petitioners be granted, but effect was not given to the decree until full a dozen years later. What was the cause of the delay is purely suppositious—there may have been fair reasons and there may have been none, unhappily the precise date on which the removal was effected, is veiled in obscurity, nor are there any records extant, we believe, which go to show that there was a redistribution of house-lots (*solars*), and out-lots (*suertes*), similar to that performed, in 1783, by Lieutenant Moraga, but this we do know, that the removal was accomplished in the year 1797, the central point of the new location being near the corner of Market and San Fernando streets.

At this period there arose a dispute between the Fathers at the Mission and the pueblo residents as to the boundary line dividing the two concessions, which, after several appeals to the authorities at Mexico, was finally settled; this subject will, however, be found more fully gone into, in another portion of this volume.

We have thus far seen the first village of San José established, its subsequent removal to a more advantageous locality, and its inauguration on ground with which we are all more or less familiar. It is to be presumed that in the old pueblo there had been a Town Council House, for we find the lot on which stood the Ayuntamiento designated in 1783 as a boundary to certain *solars* then granted, what became of the building no one now knows, it has probably mixed with the clay from which it was originally fashioned; in 1783, however, that Ayuntamiento or Juzgado, so well remembered by many pioneers of our own day, was erected on Market street near the corner of El Dorado street. It was one story high, contained three rooms, while the gable ends faced east and west. The central apartment was occupied by the Court; that to the east was the room of the Alcalde; while the western division was

used as a jail. The building was torn down in the year 1850, and the adobe bricks from its walls, after sixty-seven years' usage, went towards the construction of a fine house on the north-east corner of Market and Santa Clara streets for J. D. Hoppe.

The next two decades did not bring much of interest to the pueblo, in fact were it not for the excitement fermented by boundary disputes, theirs' was dull time indeed; at length it dawned upon them that the Mission of Santa Clara was too distant, and the way thither too dangerous for them to attend the religious exercises with any degree of regularity, therefore, in the advancement of Roman Catholicity, and a part of their national functions as well was considered expedient to erect a chapel within their own precincts, trusting to the Mission Fathers for an officiating clergyman, whose dangers were unconsidered when traveling between the two points of the Mission and pueblo, there might worship according to their own devices. The measure having advanced through its preliminary stages, Don Macario Castro indicated an epistle to Don José de la Guerra, Commandante at San Carlos, near Monterey, July 1, 1803, begging him to come to San José and act as Sponsor the consecration of the corner-stone of the new place of worship; the request received was dated July 7th, and went on to relate that his daily acts of impiety would preclude the possibility of his taking advantage of the gracious request, but, seeing that he was permitted to name a substitute, he had deputed Don José Maria Estudillo, a cadet, a person in whom he had the most implicit reliance, to perform the duties, knowing full well that to him they could be trusted. On the 12th of July the ceremony took place with becoming pomp; coins of the reigns of different Spanish sovereigns were placed beneath the corner-stone, and a statement of the ceremonies placed in a sealed bottle, so that the memory thereof should be perpetuated. This reads the translation of this document:—

"In the Pueblo of San José de Guadalupe, the 12th day of July, 1803, Señor Don Carlos IV., being King of Spain, Don José Joaquin de Arrillaga, Governor *ad interim*, and Lieutenant Colonel of the Royal Army; the retired Sergeant Macario de Castro, Commissioner of the Pueblo; Ignacio Archuleta, ordinary Alcalde; and Bernardo Heredia and Francisco Gonzales, Regidores; at six o'clock of the evening on said day, was made the consecration of the first stone and mortar of the church which was commenced in the said Pueblo dedicated to the Patriarch Señor St. Joseph, and the Virgin Guadalupe, which ceremony was celebrated with much solemnity by the Reverend Father Friar, Joseph Viader, minister of the Santa Clara Mission; Don José Maria Estudillo, Cadet, acting as god-father, by proxy, from Alférez de José Antonio de la Guerra y Noriega, Commandante at the presidio at Monterey, who placed under the first stone, money of every sovereign, and a duplicate of this document, in a bottle sealed with wax, for its preservation in

future; and for the present, we sign it in the said Pueblo, the day, month and year aforesaid.

“FR. JOSÉ VIADER.

“JOSÉ MARIA ESTUDILLO, As proxy for Alferez de la Guerra y Noriega.

“MACARIO DE CASTRO, *Commissioner*.”

This chapel was composed of adobe walls and covered with a roof of tules; within, was ornamented with a few simple pictures of Saints, and Biblical scenes; it stood until the year 1835, when it gave place to another and fitter edifice, while the present noble structure standing at the corner of Market and San Fernando streets, and built in the shape of a cross, has in its main body the site of the original St. Joseph's Church, the first place of worship erected in San José. We doubt not for the thirty years and more which it stood, many submissive hearts have knelt in deep devotion before its primitive altar, and many rebellious spirits been soothed within its sacred walls. We can almost now hear the impressive service commenced, the praises chanted, and the benediction pronounced, and see the happy few return to their homes relieved in mind, and for the present with all feuds forgotten; indeed it is a pleasant solace to conjecture the earlier citizens of this lovely city, though rough in exterior, still child-like in spirit, fearing the Lord, for if there is ever one time when prayer may be more beneficially asked than at another, it is when deep solitude surrounds us, when the dark future appears to be yet more dark, when thankfulness is to be divided among only a small community, and when deep love binds man and woman, youth and maiden, old and young, then and then only, do the hardened pray with fervor, and the wicked seek to be reclaimed.

In our day unhappily the growth of a city may be gauged by the number of saloons in force; that such was not the case in the earliest times of San José is a fact to be remembered, yet we are informed that not more than the half of a dozen years had elapsed since its foundation than permission was sought from the Government by an enterprising citizen to manufacture peach brandy. Then as now the valley was prolific, probably more so in those times than at the present; fruit trees, vegetables and cereals flourished with prodigious success where they had been planted, and such was the prodigal out-come of one crop of peaches, that the owner, Manuel Higuera, found his way to Monterey, solicited the boon to turn his surplus crop of peaches into brandy, and received the august authorization, dated August 19, 1805, to make *one barrel* of the cherished tipple, which no doubt he performed with becoming zeal in what may be called the first distillery in San José.

During these years it is only natural to suppose that the community thrived in the genial climate of the valley, and that the youth of the pueblo flourished as a green bay tree; still there are no records extant as to any first step being taken towards the establishment of a system of public tuition.

In the San José Records, there is preserved a Spanish document bearing on this subject, and from which the following information may be gleaned: It would seem that in the year 1811 a contract had been entered into by the Commissioner of the pueblo, acting on behalf of the families thereof, and an infirm corporal named Rafael Villavicencio, to instruct the children of the settlement. This covenant was transmitted to Monterey for approval, but the Commander, considering the document defective, made the accompanying reply to the Commissioner:—

“I return to you, that the same may be placed in the archives, the obligation which the inhabitants of the neighborhood have made with the infirm corporal, Rafael Villavicencio, who transmitted it to me by official letter of the 30th of last September, in which he obligated himself to teach the children of this pueblo and vicinity, to read, write, and the Doctrine; and to be paid therefor at the rate of eighteen *reales per annum*, by every head of a family, in grain or flour. As in this obligation of both parties, the conditions are not expressed, which I consider ought to be, I have thought proper to dictate them; that you may make it known to both parties in public, with their consent; and that it be signed by you, the Alcalde, Regidores, and the teacher, and registered in the archives.

“*Firstly*.—The pay of eighteen *reales* annually by each and every head of a family, I think is quite sufficient for the teacher; and as it is all they can give, in virtue of which, the Commissioner will be obliged to collect the same at the proper time, in order to deliver it to the teacher. The teacher, in virtue of the pay which is to be made to him, will also be obliged to perform his obligation with the greatest vigilance and strictness, without giving his attention to anything else but the teaching. As the hours are not expressed in which the attendance of the children ought to be at school, they will be these: six in a day; three in the morning and three in the afternoon; in the morning from eight o'clock until eleven, and in the afternoon from two until five; it being the duty of the Commissioner to compel the fathers to make their children attend; and to see that the teacher in no instance fails.

“Every Thursday and Saturday afternoons, the children will not write or read, but explanations will be given them these two afternoons, of the Doctrine (faith); at which times the Commissioner will attend, and advise the teacher that he must answer for the little or much explanation which he may make.

“When the teacher observes the absence of any of the scholars at the school, he will notify their fathers, who will give some satisfactory reason why they were absent on that morning or afternoon; and if they should be absent a second time, then he will notify the Commissioner, who will compel the fathers to send their children, without receiving any excuse or pretexts, particularly from the mothers, because they will be frivolous, since the children have sufficient time to do all that they are required to do.

“Lastly.—During the time in which the children are at school, their fathers will be exempt from being responsible to God for them, and the teacher will be the one who is thus responsible; as he will, also, in consideration of his pay, be responsible for the education and teaching of the holy dogmas of the religion; and the teacher is he who must be responsible to God, the parish priest, and to their authority. It is also understood that the fathers are obliged to examine their children at home, as to the advancement which they may make, and to complain to the Commissioner when they see no advancement, in order that he may remedy the matter, if necessary.

“As the teacher is responsible in the Divine presence for the education and good examples of his scholars, and as he must answer to the State for the fulfillment of his obligations, he has the right to correct and punish his scholars with advice, warning, and lashes, in case of necessity; and particularly he ought to do it for any failure to learn the Doctrine, for which he ought not to accept any excuse, nor to pardon any one from punishment who fails to learn it, or who does not commit to memory the lesson which may be given him.

“Having made known that it should be registered as I command: God preserve you many years.

JOSÉ MA. ESTUDILLO.”

A true and correct copy of this curious document was placed in the corner-stone of the State Normal School, when it was laid, October 20, 1870, and after the destruction of that building by fire February 10, 1880, was brought to light in a state of remarkable preservation, to be again hidden from view, on the occasion of a like ceremony for the edifice which has since arisen from the ashes of the last grand structure.

Up till the year 1814, the Santa Clara valley had been free from the presence of the Anglo Saxon. The Spanish denizens had been left in undisputed possession of their pueblo, and the Mission Fathers of their vast tracts of land. California was then almost an undiscovered country, the delights of its wonderful climate were unknown, save to those stray voyagers, like Drake, Vancouver, and others, the healthful influences of its mountains and valleys, its springs and rivulets were unappreciated by the sons of the soil, nor was the fruitfulness of the earth made known to any but the few agriculturists who cultivated the cereals in a disconnected fashion. The only communication with the outside world was by those vessels concerned in the whaling trade, and others which came to the coast for hides, tallow, and different commodities then commencing to be produced at the Missions; in one of these arrived John Cameron *alias* Gilroy in 1814, and two years later Robert Livermore. The last-mentioned gentleman, who was an Englishman by birth, deserted from a whaling vessel in Santa Cruz in the year 1816, and thence finding his way into this valley became the first foreigner who dwelt in the Pueblo de San José, where remaining but four years, he

moved to another part of the country, and finally, in connection with José Noriega, got possession of the Las Positas Rancho, of two square leagues in Alameda county; and, in his own name, of the Cañada de los Vaqueros, Contra Costa county, both now forming a portion of what is generally known as the Livermore valley. Mr. Livermore married into the Higuera family, amassed an ample fortune, and died in the year 1857. Next in point of seniority we have the intelligent and refined Antonio M. Suñol, a native of Barcelona, Spain, who, arriving at Monterey in 1818, afterwards found his way to the pueblo. This accomplished gentleman died in San José March 18, 1865, at the age of sixty-nine, leaving a vast estate to be divided among his heirs. We find in the year 1828 there was a resident named William Willis in San José, for it is on record that the Britisher had had some difficulty with the Mexican authorities in regard to a certain tract of land called the Laguna de los Bolbones, but what became of this individual we do not know.

We should here observe that in the year 1821 Mexico passed from under the Spanish crown, and in 1822 was constituted an Empire under Iturbide, who was forced to abdicate in the year following; in 1824 the Republic of Mexico formed a federal constitution, wherein the establishment of different courts was authorized, and on August 18th the Mexican Congress passed a decree for the colonization of the territories, which was newly defined and regulated November 21, 1828, and though these changes were of much political significance, they were not of sufficient moment to affect the residents of this locality.

In the year 1831 the population of the pueblo numbered five hundred souls, while the crops amounted to six hundred and fifty-seven fanegas of wheat; one thousand five hundred and sixty fanegas of corn; one hundred and ninety-one fanegas of beans, and the stock, the property of the inhabitants, totaled six thousand nine hundred and sixty-three head.

In the year 1833 there came to the Pueblo de San José, Harry Bee, a native of London, England. He left the shores of Old Albion January 7, 1830, in company with Doctor Douglas, a botanist, and arrived at Monterey in the following October. Here he remained until the Fall of 1833, when he drove the family of William Watts, who had married a Spanish lady, to this town, and first resided in the house of Juan Alvirez, which stood on the site now occupied by the handsome building of the Farmers' Union, at the corner of Santa Clara and San Pedro streets.

Harry Bee is still a resident of this city, and from him we have derived the following information: Of the foreigners who were residents of the pueblo when he arrived, there were Captain John Burton, an American merchant, who had a store that stood somewhere near the south-west corner of the Plaza. He arrived about 1830, in the following year he married a

lady named Ramona, and on her death espoused Señorita Juana Galindo: Nicholas Dodera, an Italian, at this time had a store where the Mariposa store of the Auzerais Brothers on Market street now stands, while he also farmed and raised cattle on the Rancho Pala, on the hills east of the city. Dodera married the Señorita Chapi Higuera, who is still a resident of Santa Cruz: John Price, an American, had a store that stood next door to Dodera's, where he sold liquors and groceries. This man was killed in the year 1836 when on his way to the Mission San José to join a company then being formed for service in the rebellion. He carried his rifle slung over his back, and being thrown from his horse broke his neck: William Smith, *alias* Bill the Sawyer, though working at his trade in the Pulgas redwoods, had a residence here. He married the Señorita Chapi Saiz, and afterwards removed to the north of the bay: George Fergusson, now a resident of Mayfield, a cooper by trade, came to this country in the whaling bark "*Fanny*," in company with James Weekes, and after drifting about for sometime came to San José with his comrade and erected the first flour-mill in the Santa Clara valley; to this he added a bakery and dwelling-house, and after conducting it some time, disposed of it to Don Antonio Suñol. A portion of the original residence still stands on the east side of the Plaza, north of San Antonio street. Thomas Pepper, *alias* Pimiento, was then also a resident, as was also an Irishman named William Welch, who built an adobe house, which not long ago was standing on the ground now occupied by the Pioneer Foundry. Another resident was "Blind Tom," an English sailor. He was for some time a soldier at the presidio in San Francisco, where he lost his eyesight from the discharge of a cannon, when he was brought to the pueblo and taken care of until his death. It is said of him that though blind he was an excellent workman with the needle. Charles Brown, of San Francisco, dwelt here at this time, as did also an old Irish dragoon, who had deserted from the British service, but whose name cannot now be recalled. William Gulnac also came here in this year with the Hijas expedition, a band of colonists from Mexico. He was a native of Hudson City, New York, and settled in Lower California in 1819. He served as *mayordomo* at the Mission San José for a long time, ultimately dying in the valley July 12, 1851, leaving several children.

The town at this date was built in the form of a parallelogram, its front resting nearly on the present line of San Pedro street; its back about the course of First street; to the north it extended as far as the lot on which the Court House now stands, and to the south as far as the Eagle Brewery. And thus did it remain for a full decade.

Perhaps the first regular emigrant trains to leave the western side of the Rocky Mountains were those which set out on their arduous journey in the year 1841—just forty years ago. Among those who were intimately connected with this city and arrived in this year were Josiah Belden, Charles M. Weber, of Stockton, and Grove C. Cook. Each of these pioneers have risen to distinction. Mr. Belden was one of the City Fathers before San José had received the dignity of incorporation; he was the first Mayor of the city after it received its charter; while, after a long experience in every phase of life, he is now a millionaire, surrounded with every luxury and comfort that money can bring. Of Captain Weber we have already spoken in our history of the military operations consequent on the misunderstandings between the Governments of Mexico and the United States. He remained in business in San José until 1849, when, having already acquired large interests in the San Joaquin valley, he disposed of his property in this city in the following remarkable manner: he deeded his store and San José property to Frank Lightston on his wedding day as a mark of his appreciation of long years of faithful service, and his affection for the young bride whom he had known from childhood. Grove C. Cook, though without education was possessed of more than the usual amount of mother wit; his good nature, however, was his ruin, for after amassing wealth he died poor in Santa Clara in the year 1852.

In an old account filed in the City Hall at this date we find the following information, which will give the reader an idea of the price of common articles of that time, and in what manner these were paid for: One Dutch oven, five dollars; two butcher knives, two dollars; one ax, three dollars; four pair hinges, three dollars; two and one-half pounds broken sugar, twelve dollars; one piece ticking, twenty dollars; ten varas prints, seven dollars; two hundred and fifty needles, two dollars; one pound of nails, eight dollars, etc., etc. These articles were all procured from the trading vessels which visited the ports of Yerba Buena and Monterey. The credit side of the statement shows such articles as a sea-otter skin at fifty dollars; hides at two dollars each; wheat at two dollars per fanega; and bags of tallow at one dollar per pound.

In the following years few additions were made to the strength of the pueblo. In the Spring of 1844, there arrived Thomas Fallon, Julius Martin and family; Thomas J. Shadden and family; Mr. Bennett and family, while later in the year the names of Dr. John Townsend, Moses Shallenberger, the Murphys, Sullivans, and others were made familiar. In 1845, Frank Lightston came from Oregon, and such other names were added as William F. Swasey, Judge Blackburn, W. R. Bassham, John Daubenbiss, James Stokes and Jacob R. Snyder. The following curious account will also show that there were two other residents: "Mr. John Brunall, To Thomas Jones,

Dr. 1845, October 10th,—To repairing chimney and digging well, for which I was to receive fifteen hides, and one bottle of liquor.—To interest on the same at twelve per cent. per annum, \$———. Cr.,—By seven hides, and one bottle of liquor." We have changed the orthography of this document to suit the times, and cannot help thinking that Mr. Jones may have been right in standing out for his more easily carried liquor, and letting the more cumbersome hides go. It is impossible to mention hereafter the names of the residents of the pueblo as they arrived, for the simple reason that we have been unable to gather who did actually make what we now call the city their dwelling place. We have mentioned some of the names in our chapter on the early settlement of the county; this is the best that can be done.

The troublous times of the year 1846 have been alluded to, let us for a moment briefly consider the manner in which the government of the pueblo was carried on. It is believed, though the records do not show it, that prior to the year 1839 California was divided into districts and partidos, each of the former being partitioned into three of the latter. San José was the Second District: at any rate the territory was so parceled out by Governor Alvarado February 26, 1845. In this year Antonio Maria Pico was First Alcalde of the pueblo, he being succeeded in 1846 by Dolores Pacheco as First Alcalde and Pedro Chabolla, Second Alcalde. In the month of August 1846, shortly after the American occupation of the Territory, John Burton, was raised to the dignity of Alcade, and James Stokes, to the office of Justice of the Peace. His duties were multifarious as well as onerous and being without much education, it is wonderful how often he was right in his decisions. He continued in office for the greater part of 1847, and to him were addressed the many petitions for land grants which followed the transfer of the Territory to the United States. Among these applicants the records of the year 1846 disclose the names of Charles White, who asked for a tract of land bounded as follows: Commencing at the north-west by an Indian named Indigo (Ynigo); on the south-east by Allen Montgomery; on the west by the main road to Yerba Buena, or David Davis, Daniel Murphy, and John Custard; and on the north-east by Martin Jones and others; Alexander V. Brookie, William H. Russell, Thomas Jones, George W. Fraser, John Martin (who applied for three thousand five hundred acres near the rancho of Widow Manuela Alviso,) James Rock, (for lands in Santa Clara township,) C. P. O. Briggs, (for six hundred and forty acres adjoining the land of an Indian named Roberts,) J. Stoddart Byers, Midshipman, U. S. N., E. Montgomery, Captain's Clerk, U. S. N., Alonzo Williams, Thomas G. Bowen, Samuel P. Griffin, G. C. Cook, Eugene Russell.

In the latter part of 1846 Burton did not wish to trust too implicitly to his own unaided judgment, therefore he issued the following proclamation:

WHEREAS, it is deemed essential to the interests of this pueblo, that a committee of twelve men be chosen from the inhabitants of the pueblo in respect to the building of bridges, regulating Acequia, and providing for and regulating the prisoners who may from time to time be held for misdemeanors, therefore,

Resolved, That twelve men be elected to govern the pueblo and after they shall have been elected all their actions when in session shall be legal, when a majority shall have agreed upon it and sanctioned by the Magistraté or otherwise when two-thirds of the number shall be present, and all in favor of any matter that may be brought before them. It is well known to you all that the country is in a distressed situation for want of horses; many of the farmers have been unable to mark or brand their cattle (during) the last year which on one account requires the attention of the committee; also many are owing debts to the shipping and for want of horses and other means shall not be able to pay all at one time, consequently ought to be laid before the government for its consideration.

Resolved, That the following persons shall be constituted a committee for the better regulation of the pueblo, to wit: Don Antonio Suñol, José Noriega, Feliz Buelna, José Fernandez, Dolores Pacheco, Salvador Castro, William Fisher, Isaac Branham, Captain Hanks, Charles White, J. W. Weekes, G. C. Cook, whose names were put before the assembly and unanimously adopted and empowered to manage all things that might be beneficial to the interests of the pueblo at large.

The first duty of these newly-created officers was the framing of a set of Regulations for the better government of the Pueblo de San José de Guadalupe. The Articles are handed down to us in the following order:—

I. Be it ordained by this Council that it is requisite that the Pueblo of St. Joseph be laid off into lots, blocks, squares and streets.

II. Be it ordained that the main streets of this Pueblo be eighty feet wide, and all the cross streets sixty feet wide.

III. Be it ordained that there shall be two squares in this Pueblo, first the Market square, and second, the Public square.

IV. Be it ordained that the blocks shall contain one hundred yards square, and that the lots shall contain each fifty yards in front and fifty yards in depth unless that they are fractional.

V. Be it ordained that the price of those lots shall be, each lot of fifty yards square, twelve dollars and fifty cents.

VI. Be it ordained that one person may obtain four lots, or one block, and no more.

VII. Be it ordained that those lots purchased by each individual shall be fenced, or a house erected thereon, on or before the expiration of twelve

months from the date of purchase, otherwise to fall back to the Pueblo to the loss of the purchaser.

VIII. Be it further ordained that no house or edifice shall hereafter be erected with a cover of straw, grass, or flags, and all houses covered with said materials shall not be repaired after this date with the aforesaid materials. We further ordain that these shall be the laws of this Pueblo from this date until otherwise ordained. This code which bears no date save that of 1847 is signed by, William Fisher, Chairman, James W. Weekes, Charles White, Antonio Suñol, Julian Hanks, Salv'r M. Castro, Isaac Branham, José Fernandez, José Noriega.

Among the other cares of the Alcalde was that of keeping off the Indians from the pueblo, as the accompanying communication, addressed to Captain J. B. Hull, commanding the Northern District of California, dated February 4, 1847, by John Burton, shows: "I wish to inform you that now, as the forces are about to be removed from this place (presumably Lieutenant Pinckney and his men), the Indians are commencing their depredations in the vicinity of this pueblo; numbers of horses have already been taken away, and we know not how it will end, as they are all fully aware that the Spanish population are all disarmed. I know of no way to save us from destruction, but by establishing a company of mounted men to keep the Indians in subjection, as Your Honor is already aware that the Californians have no means of defending themselves from their incursions. I should have mentioned that Mr. William Fisher is now trying to raise a company to go in pursuit, in the meantime we look to our Government for protection." Captain Hull, in due course, forwarded the letter of the Alcalde to General Kearny, who communicated the dispatch now produced to Burton: "Monterey, April 3, 1847.—I am desirous of raising about thirty-five Californians, to unite them with as many of my troops, to send among the Indians to stop any further depredations by them. I have appointed Felipe Butron a Lieutenant to raise these Californians, and I intend when they come here to let them elect another Lieutenant." The Alcalde was instructed to give every assistance to Lieutenant Butron in raising the number of men required, who, should the United States troops, with whom they were banded, be required to engage against any other enemy than the frontier Indians, were to have their discharge.

The population had now become considerable, it was, therefore, found necessary to lay out a town more in keeping with modern requirements. To this end the accompanying contract, bearing date April 20, 1847, was entered into between William Campbell and Alcalde Burton: "This Indenture made and entered into by and between William Campbell of the one part, and the Pueblo of San José de Gaudalupe of the second part: WITNESSETH, that the said party of the first part doth hereby contract and agree to survey accord-

ing to the plot of the town given him—seventy blocks of ground, two hundred yards in length and one hundred yards in breadth; each block to have good and substantial redwood stakes drove deep, and each block numbered regularly on said stakes, also stakes to be drove at the corners of each lot, and to draw a plot of said town, and furnish the same to the Juzgado when finished, for which he is to receive the sum of one dollar and fifty cents for his pay, for said work, for each block." In the month of April there was established, by the Assistant Quartermaster General, J. L. Folsom, weekly mail communication between San Francisco and Monterey, by way of San José. On June 29th, certain land, situated on the Gaudalupe, formerly the property of Joseph B. Childs, was granted to Thomas J. Farnham, on which to construct a mill; while disputes in regard to property had already commenced, for the Alcalde, under date August 24th, was instructed not to interfere in these, but where they could not be amicably arranged, by arbitration or otherwise; otherwise they should remain until the establishment of proper judicial tribunals under the United States Law. On September 23d, the reign of old John Burton was brought to an end, and James W. Weekes appointed in his stead; while on November 29th, an election was held for a Town Council, whose President was the Alcalde, with the following result: José Noriega, forty-six votes; J. F. Reed, thirty-seven votes; John M. Murphy, thirty-three votes; Thomas Campbell, thirty-one votes; Salvador Castro, twenty-eight votes; Dolores Pacheco, twenty-six votes. The manner in which this election was conducted did not meet with unqualified approbation at head-quarters, for Governor Mason, under date November 5, 1847, writes in these terms to Alcalde Weekes: "The object and intention of an election was to choose six persons to aid the Alcalde in the government of the *town*, and the *town* only; they were to make such laws and regulations, etc., for the *town*, as might be deemed necessary to secure a good police, suppress vice and afford a proper protection to persons and property within the *limits of the town*. Consequently, no person was eligible to be elected a Town Councilman, unless he was an *actual resident of the town*, and no one was entitled to vote for a Town Councilman, *unless he also was an actual resident of the town*. The second election was unauthorized, as there could be but *one* election under the authority given; the first election must, therefore, stand good, but should there be one or more persons elected, who are not actual and *bona fide* residents of the town, they cannot serve as Town Councilmen, and their places must be supplied by holding a new election. The Council, when complete, will have the *same power* and be governed by the same rules and restrictions as are prescribed for the Town Council, at San Francisco, which you will find in my letter to the Alcalde, dated July 15th, published in *Californian* and *Star* of September 4th, and my letter to the Town Council, of San Francisco, of October 1st, and published in the *Star* of October 9th. Inde-

pendent of the second election held without the proper warrant, it is observed that several of the judges of the election are returned as members elect; this is altogether unusual; no one can be both a candidate and judge of the election at the same time."

At this period there were a few stores in the pueblo; one was kept by Charles M. Weber, with Frank Lightston as his clerk, in the adobe building at the rear of the residence of the last-named gentleman, while Don Antonio Suñol and Peter Davidson, in like establishments, supplied the wants of the community, which was still small. On the site of the Music Hall building on First street there stood a livery stable kept by a family named West, while a man named Zachariah Jones had opened a hotel in the old adobe building on the east side of Market square, near San Antonio street. This public house he called the "Half Moon." On the site of the present magnificent building of the Commercial and Savings Bank Captain Weber had a corral for his horses, while the outlying plains, between First street and the Coyote creek, were white with the bleached bones of the thousands of cattle that had been slaughtered for their hides and tallow. The number of foreign residents, though still small, had materially changed the appearance of the town. There were then living in the pueblo, John Burton, William Fisher, Julian Hanks, William Gulnac, Pedro Sainsevain, Thomas Bowen, James W. Weekes, Harry Bee, James Stokes, Charles M. Weber, Frank Lightston, John M. Murphy, Peter Davidson, Grove C. Cook, Julius Martin, Charles White, and probably a dozen others whose names are not remembered. The only English-speaking women were Mrs. Julius Martin (now living with her husband at Gilroy), Mrs. Grove Cook, and Mrs. Charles White, now Mrs. Charles Allen, and still a resident of San José. The natives had progressed to some degree in usefulness. They managed to make shoes for themselves from home-tanned hides which they thus prepared: They were wont to take a large ox-hide, gather up its corners, suspend it to the branch of a tree, or beam raised on posts, fill it with water and oak-bark, and therein place the skins to be tanned, from which they turned out a by no means despicable-looking article.

As an instance of the peculiarly lax manner in which the Alcaldes carried on their legal duties in the year 1847, we reproduce the following vague summons to a defendant in a suit:—

"George W. Bellamy	} To the Constable of the Pueblo de San José de
vs.	
Vicoriano, an Indian.	Guadalupe, Greeting.

"You are commanded to summons the defendant in this to appear immediately, to answer to complaint of George W. Belamy, and fail not, under penalty of law.

"Juzgado del Pueblo de San José. 13 de Sept., 1847.

"JOHN BURTON, *Alcalde*."

The document bears the indorsement, "Served by reading, this 17 day of Sept., 1847, by James W. Weekes, Constable. Costs, \$1;" while, as a criterion of the manner in which punishments were inflicted, we have gleaned the following information from the docket of the Alcalde, for the same year: January 15th, Lorenzo Pinero, for not attending Court, when summoned, was fined five dollars; January 14th, Guadalupe Mesa was called on to pay ten dollars for selling "a beef which died;" January 16th, Ilasio Ruiz was mulcted in the sum of five dollars, "for giving false testimony;" January 19th, Thomas Jones was fined, for "swearing insultingly," five dollars. On the same date, the following mysterious entry is found: "By order of Court, John Wooden is fined, for taking that property without leave, twenty dollars;" February 9th, José Noriega was imprisoned for "abuse of Court, and for swearing and stamping on the floor." These are merely examples; the principal causes tried, however, would appear to have been for "selling," or "killing," cows and bullocks, the property of others, a species of crime which was then considered in the light of a civil rather than a criminal offense.

1848.—The year 1848 is, beyond comparison, the most remarkable in the history of California. We have not, at this place, space to give to the discovery of gold more than a passing notice. It is our intention, year by year, to follow, in order, first, the occurrences as they may be found in the official records, and, secondly, the general history as it hath been culled from newspapers and other sources. The first public record of the year was the appointment, on the 9th February, of Charles White, as First Alcalde by Governor Mason, while as a means of showing who were at that time among the residents, the following jury was impaneled on the first day of the same month, in the case, *The Territory versus B. K. Thompson*: William Campbell, Thomas Campbell, John Hopper, Wesley Hoover, Benjamin Williams, James Rock, Joseph Black, Edward Pyle, Peter Hagerty, Benjamin Washburn, George Eldridge, J. M. Jones, David Williamson, R. F. Peckham, William Gulnac, D. Dickey, John Cross, William York. At this period there were also resident, Elihu Anthony, Hiram Miller, Robert B. Neligh. In the month of March, information would appear to have been received by the Alcalde that an attack on the prison at Monterey was contemplated by some lawless characters. This report Mr. White communicated to Colonel Mason, who, under date the 9th March, replied in these terms: "I thank you for the information contained in your letter of the 4th; though I do not apprehend the least danger of an attack on the prison of Monterey. Such an attempt would afford me an excellent opportunity of making an example on the spot of some of the lawless characters with which this country is infested, and I shall always have ready a halter for the neck of any one who shall attempt in any way to subvert or overthrow the authority established in California by the United States."



H. H. Warburton M.D.

In January, 1848, James D. Hutton, on complaint of the then Alcalde, James W. Weekes, was suspended from his duties as Surveyor of the Southern Department of California, the reason for such action being traceable in the accompanying letter to Charles White, from Governor Mason :

"HEAD-QUARTERS 10TH MILITARY DEPARTMENT, Monterey, California, March 10, 1848—Sir: An Alcalde has no right to sell, or in any other way to dispose of pueblo lands, and, without touching the legality of the late proceedings which resulted in the division of the lands of your pueblo, in which division some of them were set apart for the benefit of public schools; I say, neither has he any power or authority to give, grant, or sell, any of the lands so set apart. Any such gift, grant, or sale, is utterly null and void, and of no sort of force or effect. I remark that you say in relation to the sale of some of the pueblo lands, alluded to above, being entered on the records after transactions of a subsequent date to that which purports to be the sale; this evidently shows there has been something wrong, but, in this case, it is a matter of no moment, because any sale of those lands made by your predecessor in office, even if not antedated and recorded at the proper time, is utterly void, and of no sort of force or effect."

It is now our intention to produce two documents illustrating the attitude then existing between master and servant, the first of which, if not coming within the actual line of slavery, is tinged with that taint:—

"JUZGADO DEL PUEBLO DE SAN JOSÉ DE GUADALUPE: These presents witness that Charles White, First Alcalde of the Pueblo de San José de Guadalupe, have this day bound in apprenticeship an Indian boy, named Bisenti, said boy being an orphan, for the term of three years from this date, to Gabriel Castro, said Gabriel Castro being obligated to feed properly, and clothe, said Indian boy, and at the end of said term of three years the said Gabriel Castro shall give to said Indian boy a horse and saddle, worth thirty dollars, besides which the said Gabriel Castro shall instruct said Indian boy in the Christian religion, and in all kinds of work."

The other speaks for itself.

"This indenture made and entered into on the tenth day of March, 1848 by and between John Pyle, of the Pueblo de San José de Guadalupe, of the first part, and Juan Bernal, of the same place, of the second part: WITNESSETH, That the said John Pyle agrees, on his part, to take charge of the cattle of said Juan Bernal, on his Rancho en el Arroyo del Valle de San José: and said Pyle further agrees to superintend and take care of them for, and during the period of three years, six months from date of this instrument, from the date he receives the full complement, as hereafter agreed upon, and will deliver to said Bernal, at the end of the above period, the number of

cattle received, with one-half the increase, excepting those that may die, or be missing by casualty, or otherwise. He, the said Pyle, agrees to use every diligence in protecting, and taking care, as far as possible, of the cattle under his charge. The said John Pyle further obligates himself to build on said rancho, for said Bernal, an adobe house, twenty varas long, and eight varas wide, and to put an under and upper floor of plank in said house, likewise, to put in the necessary doors and windows, and as soon as possible to build a corral on said rancho, for the use of said cattle, and to be at one-half of the expense in marking and branding the increase. The aforesaid house has to be covered with three-feet boards, and have corridors in front. The aforesaid Juan Bernal, of the second part agrees and obligates himself to deliver, on the aforesaid rancho, and in the corral, at least one thousand head of cattle in the month of April, or May of this year, two-thirds of said cattle to be of the she kind, such as cows and heifers; he, the said Bernal, also agrees to give one-half of this, with the one-half of the three succeeding years' increase of the aforesaid cattle, as also one-half of all the increase of any kind which may be put upon said ranch or farm, in charge of said John Pyle, for the aforesaid term of three years; he, the said Bernal, further agrees to give to said Pyle, two beeves per month, for his use on said rancho, reserving, however, the hides; he, the said Bernal, further agrees to furnish one-half of all the horses needed to take care of the cattle at the *rodéos*. Each person, Pyle and Bernal, marks with his own brand, and marks their respective one-half of the increase; and it is understood that the house, when built, is to be for the use of said Pyle during the aforesaid term of three years and six months." Signed by "Juan Bernal," and "J. F. Pyle," and witnessed by "James F. Reed."

Perhaps we should apologize to the reader for introducing him to so elaborate a rhopomontade, but the above contract is intended to exemplify, once and for always, the intricate verbiage in use among the would-be legal dignitaries of early times.

At a meeting of the Councilmen, held November 27, 1848, there being present: James F. Reed, Thomas Campbell, F. T. West, James Stokes, and Grove C. Cook, the following proceedings were had: Charles White, First Alcalde, being present, qualified the members and took his seat as Chairman, he also acting as Clerk. Mr. Reed proposed that Antonio Maria Pico be requested to attend and give evidence, and that Salvio Pacheco be called on to bring such papers as he might have in his possession referring to the mill of Don Pedro Sainsevain. Passed. Two Constables were then appointed, in the persons of William O'Connor and William S. Wood, at the respective salaries of one hundred, and eighty dollars, per month, together with the usual fees, "to be paid in placer gold, at the rate of sixteen dollars per ounce, troy." On the 28th Messrs. Reed, Campbell and Cook were appointed to inspect

the prison and report what improvements were necessary; and a like examination was ordered for the Court House, the entire Council being nominated to that duty. At this session a reward of two hundred dollars was offered to "any person or persons who might arrest and deliver up to the Court of this town the two murderers, Lynch and his companion, or one hundred dollars for each," to which an additional twenty-five dollars was added by Councilor Stokes [we shall speak of such another crime below]; and on December 1st an ordinance was passed ordering the closing of all business houses upon the Sabbath, and imposing penalties for the violation thereof.

Towards the end of the year 1848 crime was considerably on the increase, such being enhanced by the unprotected state of roads on the direct line of travel to the mines, the wayfarers on which being wont to carry considerable quantities of gold-dust on or about their persons. In the month of December Thomas Fallon, long a well-known and prominent citizen of San José, was on his way from the mines, having in his possession about two thousand five hundred dollars in dust around his body and some seven ounces in his pocket. He had also seven horses and a servant, but no arms of any value, as a part of his pistol had been lost. Near the Mission of San José he camped one night, close to three men—"Knights of the road"—one of whom he had previously known in Santa Cruz. Suspecting their character, he concocted the story that he had, some days before, sent on a man with money to buy cattle, but that he had since heard nothing of him. He further proposed to trade for their best horse as his was worn out, on which they agreed to give six ounces for the one he was riding. The ruse was successful and he escaped. The next day the highwaymen met two Germans, who had with them about eight thousand dollars in gold-dust; these they shot, instantly killing one, but the other escaped to San José, where he gave the alarm. Armed men instantly went in pursuit of the murderers, who were captured and brought into the city and tried, and on Saturday, December 16, 1848, the following verdict was rendered: "The jury, after mature deliberation, bring in a verdict of guilty; (signed) James L. Ord, Foreman." Sentence was then recorded in these words: "That they shall—David A. Davis, William Campbell and Mathew Freer—be hung by the neck until they are 'dead, on Monday next, between the hours of ten and two. James L. Ord, Foreman; Thomas Campbell, James F. Reed, Isaac Branham, F. T. West, J. Belden, James Stokes, R. C. Keys, Samuel C. Young, Thomas M. West, Julian Hanks, John Cross." "The above sentence is hereby approved and ordered to be carried into execution accordingly. K. H. Dimmick, Alcalde." On December 18th and 19th, Woollard, Cotton and Lee, three of their accomplices, were tried, convicted and sentenced, as follows: "We, the jury, in the case of Woollard and Lee, doth define, for Woollard, as punishment, on first charge, thirty-five lashes on the bare back;

Lee, eighteen lashes on the bare back. On second charge, Woollard forty lashes on the bare back; Lee forty lashes on the bare back; the same to be inflicted in the most public place in this pueblo, at the hour of four o'clock, P. M., and each one month's imprisonment in the stocks. Juzgado del Pueblo, this 19th day of December, 1848. James W. Weekes, Samuel P. Goodrich, Wesley Hoover Arthur G. Caldwell, William Daniels, T. M. Ramsden." "Verdict: The jury, in the case of John W. Cotton, find him guilty of some of the charges preferred against him. James L. Ord, Foreman. Sentence: 1st. That the Judge reprimand, publicly, the said John W. Cotton: 2d. That he receive fifty lashes, well laid on his bare back with a raw-hide; and 3d. That he be placed in irons for one month, and be fed on bread and water for the same period. In consideration of the prisoner's previous good character, his full confession, and other palliating circumstances, the above mild sentence is recommended by the jury. (Signed) J. L. Ord, Foreman; R. C. Keys, Benjamin Cory, Thomas Campbell, John Cross, S. C. Young, J. Belden, Isaac Branham, James Mathers, Julian Hanks, Thos. M. West, James Stokes. Pueblo de San José, December 18, 1848." The three men, Campbell, Freer, and Davis, were duly hanged with no loss of time, as the accompanying minute, under date December 21st, will show: "Orders were presented by Mr. Cook for part of the property of Campbell, Freer and Davis, deceased, to be delivered to Mr. Wyman, and on Mr. Stokes' motion, ordered that the property of Campbell, Freer, and Davis be sold to defray the expenses of trial and execution, etc." Whereupon, on motion of Mr. Reed, the whole matter of the orders of Mr. Wyman and property of convicts was referred to a committee, consisting of Messrs. Reed, Stokes, and Belden. It would appear that application for the payment of expenses to jurors in the above cases had been made to the Governor at Monterey, for it is on record that, under date January 23, 1849, Col. Mason informed the Alcalde, K. H. Dimmick, "With respect, to the payment of costs of the jurors, etc., it is not within the scope of my power or authority to order the disbursement of the public moneys in paying the costs of trials and executions not strictly legal. I know, in this case, that necessity and circumstances, and the violent outrages of late so frequently committed upon society, compelled the good citizens of the pueblo to rise up, and promptly make an example of those robbers, for the sake of their own safety and that of society in general. The country affording no means—jails or prisons—by which the persons of these lawless men could have been secured and society protected, it is not much to be wondered, that the many atrocities so recently committed upon unoffending citizens, that the strict bound of legal proceedings should have been a little overstepped." Be this as it may, the summary punishment meted out to these ruffians had for many a long day a most wholesome effect.

We can do no more here but take passing notice of the discovery of gold on January 19, 1848, at Coloma. In our chapter of Early History it will be found more fully treated. By the month of March the news had reached to the town of San José and the valley surrounding it. No one doubted the report. The Alcalde left his records, the merchant his store, the carpenter his unfinished building, the farmer his half-grown crops, and the ranchero his horses and cattle—all flocked to the new Dorado. For two months Judge Peckham and Frank Lightston were the only adult male persons in San José. Towards the end of June, some of the gold seekers returned to look after their families and business, and brought the most astonishing stories of the new discoveries, which they were able to verify by the gold brought with them. They had found it. Some of those that had gone from San José had got four, some eight, some twelve, and some as high as twenty thousand dollars. Most of the San José people were located in a place they had named Weber's Creek, about ten miles from Coloma and three from the present town of Placerville. Here toiling at gold-hunting, in every shape, were Charles White, William Daniels, R. F. Peckham, and many others. John M. Murphy, with Charles M. Weber and Doctor Isabel, were keeping a store and amassing wealth rapidly. The Indians had learned what the gold was and how to collect it, but knew nothing of its real value; a dollar's worth of gold, with them, was the weight of a silver dollar, and the store of Weber & Co. had an extensive trade. Many of our residents returned, some with ample wealth, to settle, others to return to the excitement to make more; alas, how few there are of these who have held on to their winnings.

Early in 1849, the pueblo lands commenced to rankle in the minds of the citizens, as the accompanying petition, dated January 3d, will explain: "We, the undersigned citizens of this pueblo, do hereby memorialize Your Honorable Body in regard to the tracts of land designated the Five-hundred-acre lots. It doth appear that, in the Summer of 1847, the people of this pueblo employed an individual, by the name of James D. Hutton, to survey and divide a portion of the pueblo lands into tracts of five-hundred-acres each. Mr. Hutton set about his work, and in due time presented a plausible plot of his survey, to the existing Alcalde and Town Council, which was accepted; since which time, the Alcalde, acting in accordance with the power in him vested, has deeded away all those lots to the *bona fide* citizens of the pueblo. Those deeds do not refer to any marks upon the field by which the lots may be found and secured, but refer entirely to the plot as executed by Mr. Hutton. Furthermore, it doth appear that Mr. Hutton, by fraud or otherwise, has placed stakes in the field which have no accordance with the divisions on the map; and has, likewise, drawn lots upon the paper which have no existence upon the ground. The lots are also of various dimensions, some of which reach the dimensions of five hundred acres.

"The above particulars are well known to be facts, and it must be obvious to the gentlemen of the Council, that the deeds above referred to will hold good in any Court of Justice, for land of the same configuration and proportionate dimensions as are exhibited upon the plot of Hutton, and not as designated by his stakes upon the field. Therefore, in our humble opinion, it is all-important that the Alcalde and Town Council take this matter into immediate consideration, the better to prevent disputes hereafter. And we do earnestly pray that a good, practical, surveyor be at once employed, to make a new survey, taking the map of James D. Hutton, as his guide.

"And, inasmuch as the original design of the authorities of the pueblo was not properly carried out by the survey of Hutton, we think it equitable and right that a portion of the expenses, attending a resurvey, should be defrayed from the Public Treasury. If this be approved of by the Honorable Alcalde and Council, we are confident that a fair proportion of the expenses will also be paid by individuals interested. Respectfully submitted. Signed by Henry Bee, Ben Cory, John Ross, Jno. H. Rule, Charles White, R. B. Neligh, Julian Hanks, Wm. Fisher, G. F. Wyman, James W. Weekes, Peter Davidson, Fernando Alden, Flavius B. Clement, Bernard Murphy, Wm. Gulnack." The petition was placed on record, and in the meantime another presented, requesting that that portion of land lying between the town and the Guadalupe, should be added to the town, which was ordered to be carried into execution at as early a date as practicable.

In the first month of the year the number of paupers had increased, so much so that it became necessary to place them under the supervision of two overseers, Charles White and Grove C. Cook being appointed, January 3d, to the position. On the 22d, Antonio Maria Pico was elected Second Alcalde; while, at an election, held in the month of June, the following district and city officers were chosen: Prefect, Antonio Maria Pico, one hundred and twenty-seven votes; Sub-Prefect, N. B. Smith, one hundred and thirty-eight votes; First Alcalde, R. M. May, two hundred and seventeen votes; Second Alcalde, José Fernandez, one hundred and twenty-three votes; Town Council, Joseph Aram, one hundred and fifty-eight votes; J. C. Cobb, one hundred and fifty-three votes; Dolores Pacheco, one hundred and eighteen votes; Antonio Ynojoso, eighty votes; José Noriega, seventy-six votes; Thomas Campbell, eighty-seven votes. On September 24th, a Syndicate for the government of the pueblo was appointed, consisting of: Sindico, José de Arnaz; Juez de Campo, Francisco Palomares, Antonio Chabolla; Sheriff, R. C. Keyes with a salary of one hundred and fifty dollars a month; Town Police, Mr. Gordon, J. F. Reed, W. R. Bassham, Peter Davidson, Wesley Hoover, Grove C. Cook, Justo Larios, José Mesa, Mariano Castro II., Juan Gonzales, Pedro Mesa, Felipe Patron (Mr. Reed was appointed Chief of Police, with power to call upon any citizen to aid him in case of necessity, November 19th); Town

Treasurer, Isaac Branham; Council, Felix Buelna, Sub-Prefect, J. B. Cobb, Isaac Branham, Dolores Pacheco, Antonio Ynojoso, Thomas Campbell, and José Fernandez, Second Alcalde.

We have in our chapter on the Legislative History of the county entered at length into the transactions which made San José the first Capital of California, it will be only necessary here to notice these as they occur in the records of the city. On September 4, 1849, a meeting of the citizens of San José was convened to consider the propriety of offering a square of land situated in the town to the members of the Convention then assembled at Monterey, on which to erect a State House, etc., and on the 8th the action was officialized by the Town Council by the annexed resolution:—

“WHEREAS, By request of the citizens of this pueblo, together with resolutions instructing the Town Council and Alcalde to offer to the Convention now assembled in Monterey the Washington square in case said Convention should see fit to establish thereon the Capitol of the State of California; therefore be it,

“*Resolved*, That we, the Town Council of this pueblo offer for the acceptance of the Convention now sitting at Monterey the square know in this town as Washington square which contains twenty-one acres more or less of land for the sole purpose of erecting State buildings thereon and to be used by the State Government for all such public purposes as they may deem necessary for the Capitol of the State, it being understood that whenever the Capitol shall be removed from this square, it shall again revert to the people of the pueblo.” It was afterwards wished to repeal the last paragraph of the resolution, but on being put to the meeting only the Chairman, Judge May, voted in the affirmative, those in the negative being Councilors Branham, Davidson and White. A site for a market place was adopted by the Council, October 27th, while the records show that on the 15th December the City Treasurer was Don José Arnaz.

To the general history of the town not much can be added. The mines still engrossed the minds of all, though the rush to them had considerably abated. The necessities of the people increased as the population became larger; digging for the precious metal commenced to give way before the cultivation of the soil, yet, still, necessities were hard to get and commanded exorbitant prices; flour went up to fifty dollars per barrel, nearly all of which was imported from Chile; a pair of ordinary boots were worth sixteen dollars, and others of extra quality commanded as much as two ounces, thirty-two dollars; other articles were in like proportion dear, the influx of people was greater than the exodus, and the town wore the aspect of a half-military and half-civil settlement. Gambling became the order of the day and night, bowie-knives and pistols bristled in each man's belt, loud-voiced oaths were heard on every side, and recklessness reigned supreme.

On Saturday, December 15, 1849, the first Legislature of the State met in San José. The upper floor of the State House was occupied by the Assembly and comprised but one room which was reached by means of a stairway; the lower story was partitioned off into four apartments, the largest one, forty by twenty feet, being appropriated to the Senate; the remaining three were used by committees and the Secretary. The building was sixty feet long, forty wide, and was protected by a veranda all round. It stood on the east side of Market square, on the south half of lot No. six, block one, range one, south of the base line, and was destroyed by fire on Friday, April 29, 1853.

At this period the Garden City boasted of only two hostelryes; one stood where now is built the handsome pile of buildings on First, between Santa Clara and St. John streets, know as Martin's Block. It was a frame building one and a half stories high and went by the name of the City Hotel. Here the guest for the comparatively trifling sum of five dollars was well fed, vegetables being the only scarce commodity; but as much cannot be said for the sleeping accommodation, the beds being for the most part tenanted by odious, odorous and irritating animalculæ. Happily perhaps there were insufficient bed-chamber equipments for all the guests, the greater portion of them being obliged to content themselves with tables, chairs and floor, and at no reduction in price.

Two dollars was the price of a dinner, and the same amount was charged for a good bed for a night's lodging; while a cot or bunk might be obtained for half that sum. Eggs were worth fifty cents each, vegetables of all kinds, except potatoes, were scarce and dear, and a very meagre lot of onions could be had at half a dollar apiece. The bill of fare was balanced between beef and mutton, or both, though occasionally game was had, or a chicken cooked that had, from appearances, walked to his death.

Late in 1849 the Mansion House was commenced on the site of the Music Hall on First street and was ready for occupation in February, 1850. The chief material used in its walls was adobe, and it cost Joseph S. Ruckle the immense sum of one hundred thousand dollars. It was two stories in height, with a piazza in front and a wing in the rear used as the dining-room, in which a good table was "set" considering the difficulties attending catering in those days. The most noted arrangement in the building, however, was an immense fire-place, its size causing it to be a topic of conversation among travelers. Could these gigantic andirons talk what a tale they might relate! The ponderous log now resting on them, is crackling in unison with many a joyous joke and ribald song; behind lies a dark speck harmonizing with the dreary thoughts of yon broken-down man. As he gazes into the dancing flame his life passes in review before his eyes; first the mother's joy, then her hope, and afterwards her main-stay. Suddenly he is led captive by the

stive cry that comes from the Pacific shores and echoes back from the Atlantic coast, "there is red gold for the winning." Amid the sorrows of home, the wail of a mother's heart went up and begged of him stay; but no, in a few years at most a fortune will be made, there will be enough for all, and what has been the result: hard work, bad luck, illness, and lost hope. But these are not the only ones near that crackling

Here is the man with rakish air, who spends his dust with that air of "y come, easy go," who, when his back is turned, is forgotten by his erstwhile boon companions; there is he, the father of a family, who has left a young wife and children in a little home in some Eastern State, who toils with unceasing vigor to reach the goal which will take him back to those loves, with sufficient for them and others besides—long his cherished wife; and so passes by this panorama of human life, each having their own sorrows, good, bad and indifferent, and still the boisterous jest and royster-song goes on, and still the sparks fly from the burning log, and hour by hour way to hour and dark to dawn.

1850.—Let us now return to what may be gleaned from the official records of the city for the year 1850.

On January 10th a Common Council, consisting of J. D. Hoppe, Isaac Whigham, Peter Davidson, R. M. May, and Charles White, was elected, with J. H. Moore as Clerk, and on the 15th, R. C. Keys as Marshal; the appointments of the last-named two officers, however, would appear to have

been informal, for we find on the 23d, an ordinance was passed requiring the Ayuntamiento to elect the following officers and declaring their duties: Marshal, Treasurer and Clerk, the salary of the first mentioned being fixed at one hundred and fifty dollars per month. February 11th, Marshal Keys resigned, when E. J. Curtis was appointed in his stead; while about this time the following curious document illustrative of the paternal care of the Alcalde's office was issued: "WHEREAS, it has been represented to me that an individual named José Maria Edward is living in a constant state of intoxication, to the utter neglect of his goods and effects, which lie exposed to the street; and the same being proven to the satisfaction of this Court, it has thought fit to order that an inventory of the same be taken, and stored in some safe place, until said J. M. Edward recovers his mind, and be able to conduct the business properly, and which has been done this day, the goods being deposited with ——— until such time as the owner and debtor from San Francisco appears."

On March 13th, directions were given to the Alcalde by the Ayuntamiento to set out a deed of four vacant lots of the north section of the new survey of J. C. Young for services rendered the pueblo; while on the same date, the Council decreed that any Indian found loitering or drunk about the pueblo should be liable to be hired by the Alcalde to such person as he may think

proper, for such price as he may demand; and the proceeds to be expended in providing clothing for said Indian; two resolutions which to us of to-day appear curious, to say the least of it.

On March 7, 1850, a Bill was introduced into the Legislature by Senator Bassham, entitled "An Act to incorporate the City of San José." It was passed March 27, 1850, and defined the boundaries of the city to be: "All that tract of land lying between the limits hereinafter mentioned, that is to say: Beginning on the east bank of the Coyote river, two miles south of the center of Washington square in the Pueblo of San José, and running due west to the west bank of the San José river; thence following down the bank of said river to a point four miles distant in a straight line; thence due east to the east bank of the Coyote river; thence up the bank of said river to the place of beginning, shall henceforth be known as the City of San José. "It was also ordered that the government of the city shall consist of a Mayor and Common Council of seven members, one of whom shall be elected President. The Mayor and Common Council were designated a Body Politic and Corporate under the name of "The Mayor and Common Council of the City of San José," and at the same time a City Marshal, City Attorney, City Assessor and Treasurer should be elected on the second Monday of April, 1850, and in each year thereafter. Consequently the election was duly had, and on April 13th, the Mayor, Josiah Belden, and the Common Council, F. B. Clement, President, Benjamin Cory, James D. Curl John H. Garrison, Peter Shereback, Julian Hanks and William Foster, held their first meeting.

At the first election held under the Act incorporating the City of San José, William Daniels, being Inspector; David Barney, William J. King Judges; and C. J. Torbert, George J. Hobe, Clerks, the following was the result: Mayor, Josiah Belden, one hundred and ninety-five votes; Common Council, Ben Cory, two hundred and twenty-nine votes; J. D. Curl, two hundred and twelve votes; W. Foster, two hundred and eight votes; J. H. Garrison, two hundred and seven votes; P. S. Shereback, one hundred and ninety-nine votes; Julian Hanks, one hundred and ninety-seven votes; F. B. Clement, President; City Marshal, G. Montgomery, two hundred and five votes; City Attorney, T. L. Vermeule, two hundred and four votes; City Assessor, P. Davidson, two hundred and six votes; City Treasurer, J. C. Conroy, one hundred and ninety-eight votes.

At this session F. B. Clement having been called to the Chair, and Ben Cory requested to act as Secretary *ad interim*, immediate steps were taken for the election of a permanant Clerk, which resulted in the choice of Thomas B. Godden, he having received a majority of the votes over S. O. Houghton. Mr. Cory then presented an ordinance fixing the amount of bonds of the Treasurer, Assessor, Attorney, and Marshal, the sums being respectively

established at fifty, twenty, ten, and ten thousand dollars. Mr. Cory next offered a resolution to the effect that a committee of two be appointed for the purpose of making inquiries with regard to the liabilities of the late Ayuntamiento or Town Council, the last President of which was Jacob D. Hoppe, to whom was sent a committee deputed to request his supplying a summary of all the ordinances passed by that body. The first committee consisted of Messrs. Hanks and Shereback; the last of Messrs. Curl and Garrison. Mr. Cory now presented a resolution to require the last Ayuntamiento and its officers to hand over all books, records and papers in their possession belonging to the city of San José; and again he made a motion "to offer the building known as the Legislative Hall, free of charge to the Legislature which is to assemble in January, 1851, and to be used as long as the Legislature may require it in its session." Further, *Resolved*, "that the Mayor of the city deliver a copy of the foregoing resolution to the Senator representing the District of San José, said Senator to lay the same before the Legislature," both of which were unanimously adopted. We have mentioned above the settling of the bonds to be presented by municipal officers, those of the Assessor, Attorney, and Marshal were, April 16th, reduced to five thousand dollars each, while that of the Treasurer was decreased to twenty-five thousand. On the 19th April the Juzgado was designated as the place for holding the forthcoming session of the District Court. Ordinances were now adopted for enforcing the payment of city taxes, licenses, etc., in lawful coin or gold-dust at the rate of sixteen dollars per ounce, troy, while regulations were passed respecting the Acequia, or city ditch, used for irrigating purposes, and, on April 24th, laws prohibitory of gaming were determined. On the 27th the use of the principal room on the lower floor of the City Hall was tendered to the clergymen of the different denominations in the city; while, as a criterion of the rates paid for clerical assistance at the time, eight dollars per day was allowed to the Marshal for a clerk; and the Surveyor directed to run out the city boundaries, and execute a map thereof was granted twenty dollars a day for himself and sixteen for help.

May 4th, the following appears on the minutes: "On motion of Mr. Curl all business then before the meeting was laid over. Mr. Charles White, a citizen of San José, begged leave from the President and Council to state that the account of Pedro Sainsevain (for rent of State House) became due on the first of May. Mr. Cory presented an ordinance to the effect that the obligation of Messrs. Belden, Reed and Aram, as trustees for Messrs. Hoppe, McCutchen and others, for the purchase of the City Hall should from and after the first day of May bear interest at the rate of eight per cent. per month, extending to no longer than four months; the interest to be paid monthly: on motion the ordinance was adopted. About this time an attempt was made to have the Juzgado removed from where it stood in what is now

Market street, and to that end a committee was appointed, May 4th, to report whether the adobe and other material could be utilized for further building purposes. They reported May 7th, in favor of selling the edifice which the Marshal was authorized to do on May 15th. Let us see who signed this petition as a means of finding out the names of some of the residents in May, 1850: Hoppe, Hawkins & Co., Julius Martin, William Daniels, Joseph Aram, Geo. B. Tingley, R. B. Buckner, Joseph Stillwell, Wm. McCutchen, S. W. Johnson, K. H. Dimmick, S. C. Young, D. Divine, W. H. Eddy, Ephraim Fravel, L. L. Logan, D. W. Dickey, Asa M. Bowen, John H. Moore, Freeman S. McKinney, Joseph Lee, E. Hansbrough, C. T. Ryland, Thos. Bodley, R. M. May, John M. Jones, James C. McClellan, H. C. Melone, Edward W. Rawle, James W. McClellan, George S. Appleton, J. R. Wilson, Gidney Underhill, John Carney, Geo. N. Whitnam, Matthew Chambers, John F. Williams, William T. McClean.

May 23d, a committee was selected to wait upon the priest in whose charge was the Roman Catholic Church, for the purpose of requesting its officers to desist from the further building of houses not designed for church purposes, and also to have removed all the buildings occupying the ground at the time. No attention would appear to have been paid to the request of the Council or their committee; it was therefore resolved, August 5th, that the Mayor should be requested to notify the priest or other person in charge of the church in San José, of the violation of the grant upon which the said church lots are held, in the erection of houses thereon other than for religious purposes, and that he also notify the said priest to cause the removal of such buildings and to cease the further letting of the ground, under penalty of a suit at law for the recovery of the property so misapplied to the grantors. And that the Mayor also notify all persons now owning or occupying houses upon the said ground, other than such as for religious uses, to remove, or cause to be removed, the same, within fifteen days from date, or that the said buildings will be removed summarily by the city authorities. On the 3d September the Council passed a resolution suspending action for the present, at the same time protesting that the priest had no just nor legal right to occupy or lease the ground upon which the church edifice is erected, for secular purposes. The matter was then placed into the hands of the City Attorney, who communicated to the Council in regard to the erection of buildings on the church property; the deed granting lots numbered fifteen and fourteen in block number one and range one, north of the base line, to José Maria de Jesus Gonzales, Governor of the Mitre of the Roman Catholic Church of the Territory of California by First Alcalde, Kimball H. Dimmick, for and in consideration of the sum of one dollar, states that the grant is made "as a consecrated place of religious worship to Almighty God for ever," it was therefore considered by the Common Council, and their legal advisor,

that the church had not the power to let, lease or alienate any of the property for the purpose of raising revenue, even if the occupations pursued by the tenants be such as are not objectionable to moral and religious feelings, but *certainly not* when such occupations are evidently destructive of religious influences, and a mere mockery of the intentions of the parties who granted the property which is so misappropriated. The deed referred to is dated January 13, 1849.

Suitable accommodation for a city prison was ordered to be rented, on May 23d; on the same date itinerant vendors were directed to be licensed; and, on the last day of the month, an ordinance prohibiting bull-fights was adopted, a firm attempt to break the Sunday pleasure of the native Californian.

On June 10th a committee consisting of C. White and J. Aram, in relation to the Manuel Pinto lot required for the opening of Santa Clara street, reported and recommended, that, inasmuch, as the appraisal of said property had been fixed at two thousand dollars, that the family be allowed one hundred varas square of the outer lots as a compensation. On the report being accepted, authority to make contracts for carrying out the work was given. Another house which it was found necessary to remove for this purpose, was that of Salvador Mora, who, it was recommended, should receive two hundred dollars compensation. June 26th, an ordinance was passed, directing all places of business to be closed on the Sabbath day; while, at about the same time, a petition was received, from Lallemand & Delfino, requesting permission to open a market stand which was granted.

The first establishment of Fire-limits was effected, July 11, 1850, as follows: Commencing at the intersection of Second street with St. James street, thence along the center of Second street to its junction with San Carlos street; thence along the center of said San Carlos street to its junction with the Acequia; thence along the said Acequia to a point that would intersect the prolongation of St. James street; thence along the said St. James street to the place of beginning. Section two, of this ordinance, prohibited the erection of edifices composed of canvas, willow, cotton cloth, tules, mustard, reeds, or other grassy substances, under a penalty of not less than twenty-five nor more than two hundred dollars. Three—Forbade the existence of hay-stacks, unless inclosed or suitably guarded, under a like penalty; and Four—Enjoined the immediate removal of these under the same forfeiture. With the marking out of fire-limits, application was made to the Common Council, November 4th, when Alderman Garrison was instructed to inform Fire Engine Company, No. 1, that an engine would be furnished to them as soon as one could be obtained; which was done, and may now be seen in the Franklin Engine House. On the 18th, they notified the corporation of the adoption of the name "Eureka Fire Company, No. 1;"

when a committee was appointed to report on the constitution of the company, and the feasibility of erecting an engine-house and purchasing apparatus for them.

July 11th, city taxes were ordered to be levied at the rate of one per cent.; a resolution regulating the Mayor's Court was adopted; and on the 23d, a municipal seal was talked of and a motion to ask the Mayor to provide one passed. On this date William Bartlett was appointed City Clerk *vice* Godden, resigned. About this period it was customary for the more reckless of the citizens to settle their superiority in horse-flesh in the public thoroughfares, a fee of two dollars was, therefore, directed to be awarded, to the arresting Constable, in such offenses, while, the fiat went forth and doomed the Spanish language in the county, that all petitions or communications written in any other than the English language should be laid on the table indefinitely.

At the session of the Common Council, held on August 5th, the following resolution, which speaks for itself, was offered: "*Resolved*, That the present condition of the finances of the City of San José require correction. The city is now paying an interest of eight per cent. per month upon the sum of thirty thousand dollars, when it is believed that money could be borrowed, for the use of the city, at a rate less than half the above. The city officers and police are unpaid for several months' services, and there are no funds to meet these and other demands accruing; it is, therefore, deemed advisable to disembarass the city, from the operation of this state of things, by a moderate loan of money, at a low prescribed rate of interest." On the motion being put, the accompanying was then carried: "*Resolved*, That the Mayor of this city, Josiah Belden, Esq., and Mr. William Foster, of the Common Council, be and they are hereby appointed Commissioners to negotiate a loan of thirty thousand dollars, for and in behalf of the city, in accordance with the provisions of an ordinance, passed this day, by the Common Council of the City of San José." The effect of this resolution will be found further on.

During the current year, 1850, the following circular was promulgated; it is now produced in order that it may be shown what was done for suffering humanity. It is also a means of perpetuating the names of some of those who took an interest in the good work: "WHEREAS, Reliable news has reached us, that great numbers of those who are traveling the northern routes to this country are suffering immensely from the want of the common necessities of life: And, WHEREAS, a deep sympathy pervades this city for these sufferers: And WHEREAS, true sympathy ever prompts to benevolent action; therefore, *Resolved*, By the Mayor and Common Council of the city of San José, that San José will cordially cooperate with those who are engaged in the benevolent enterprise of sending relief to the starving immigrants upon the plains; *Resolved*, That we will act as a committee to solicit

subscriptions in money and provisions, to be forwarded by the hand of Hon. John Bigler, to the Sacramento City Immigrant Relief Committee, to be used promptly for the benefit of the suffering immigrants; *Resolved*, That James F. Reed, Charles White, John A. Houston, J. D. Hoppe, Charles Campbell, and Isaac Branham be appointed to co-operate with us in this work; *Resolved*, That his honor, Josiah Belden, be appointed Treasurer of the committee, and F. B. Clement be appointed Clerk; *Resolved*, That we will not be idle in this good work." Among those who subscribed sums varying from one hundred to one dollar are: Evans & Co., D. Williams, Fred. G. Appleton, John H. Garrison, John Aborn, Ben Cory, J. A. Quimby, Charles Campbell, Lemuel Hudson, E. Woodnutt, Joseph Aram, Robert Byers, R. H. Curl, Guard Colwell, George Lehr, Mr. Brayton, Alex. Guard, S. K. Gibson, S. W. Hopkins, John McKune, H. E. Bond, E. W. Anser, Judge Hester, Julian Hanks, Thomas Ritchie, David David, Nicolas Polli y Co., Louis Borrel, Ricardo G. Killaby, William Gulnac, Thomas A. Ticklin, Nathaniel M. Ward, T. J. York, L. G. Colgrove, S. A. Hanks, G. F. Wyman, James Robinson, R. O. Lowry & Co., M. H. Briggs, Thomas Piles, Angel Levari, W. R. Bassham, George East, Henry Vanderslice, Pascual Savarre, M. Durand, T. Travener, A. Chatelle, George Montgomery, Joseph McKee, Josiah Belden, F. Lightston.

Will the old resident cast a glance over these names and see how few of them remain! 'Tis for this reason that histories such as this are written, in order to perpetuate cherished names and associations, where the present has gone hand in hand with the past in an errand of mercy, like the helping of fellow-sufferers, or the building up a city such as San José now presents. Such deeds, we assert, deserve not to be forgotten; rather should they live as bright beacons to guide the youth of to-day, and be an example to them of what tender and manly hearts, backed by indomitable courage and perseverance, could perform three decades since.

In the year 1850, the Common Council of the city of San Jose became suddenly impressed with the truthfulness of the ancient adage, which might be distorted in "all work and no *pay* makes Jack a dull boy." Why they were discontented with "honor and glory" and demanded "backsheesh" is left in the dark. Dr. Ben Cory was the only member of that body who opposed the successive motions, but might was too much for right, as the following information, culled from the City Records, will explain: On September 24th, an ordinance to allow pay to the members of the Council was adopted, the vote on the occasion being: For—Messrs. Garrison, Foster and Hanks, Dr. Cory voting in the negative. On the strength of this, the Mayor was allowed eight hundred and thirty-three dollars, thirty-three cents, on October 5th; while on the same day Alderman Curl drew, for the like purpose, five hundred and sixty dollars. October 28th,

the sum of sixteen dollars a day was allowed to the City Clerk; and a salary of two hundred and fifty dollars per month to the City Attorney; and, November 4th, Alderman Clement was authorized to draw sixteen dollars per day for his services. At this juncture, the citizens were seized with what might be termed a righteous indignation, and transmitted the annexed petition, signed by one hundred of the principal residents to the Honorable, the Council of the City of San José:—"The petition of the undersigned citizens respectfully represents that they have heard with regret that Your Honorable Body have passed an ordinance providing that each member and Clerk of the Council shall be paid sixteen dollars for each time appointed for their regular meetings, whether present, or absent, your petitioners hereby REMONSTRATE against this law, and request that the same may be repealed, for the following reasons: First, because it is UNJUST to demand payment for services not rendered. Secondly, because the sum provided to be paid is too much for one or two hours spent in the evening; it has never been charged by former Councils, and citizens having the best interest of the city at heart are willing to perform the duty without reward, for the good of the city. Thirdly, because the funds of the Council are greatly needed to provide *fire engines and hose* for the protection of the city against fire; for the digging of large and deep wells for reservoirs to supply the city with water in case of fire; for grading the principal streets so as to carry off the water in the time of rain; for bridging the slough in the city, so that loaded teams, and travelers, may have easy access to the city during the rainy season, and for other purposes, which the best interests of the city demand. Your petitioners would ask Your Honorable Body, now that the county has assumed the debt of the city, to reduce the very heavy tax imposed upon them; but, if this cannot be done, they very earnestly ask that the tax may be applied to the purposes which the welfare of the city demands. Your petitioners would further represent that the question of the final location of the Capital, by the recent vote of electors, assumes an aspect demanding the action of the citizens of this place to secure its location here, and would suggest to the Council the necessity of constructing a plank road on the nearest route to the embarcadero, to which the city, as a stockholder, ought to subscribe. To the subjects, vital to our prosperity as a city, we ask your immediate attention, and, as in duty bound, etc." The last mention made of this matter, in the year 1850, was the presentation by Dr. Cory, December 30th, of an ordinance to repeal that granting pay to the members of the Council, which on motion to adopt, the ayes and noes were called with the following result: Ayes, Messrs. Cory, Curl, and the President; noes, Messrs. Shereback and Garrison.

In the month of September a petition was received from several Spanish residents requesting to be allowed to maintain a theatre on Sundays, which



Sarah L. Knapp-Goodrich

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was refused by the Council; as was also another in regard to holding bull-fights on that day. October 28th, John Jones, Charles Campbell, and James Appleton were appointed overseers of the poor; November 4th, an ordinance directing all cattle to be slaughtered on Washington square was passed; on the 18th it was ordered that *employés* in the City Hospital should be paid by the Treasurer in "good hard money," in contradistinction to gold-dust; and on December 2d, the first steps towards the laying of sidewalks were taken. The Mayor, in conjunction with a committee, were authorized to receive proposals for laying sidewalks where a suitable way had not been already made. The streets along which they should run were: In First street, from the north end of the City Hotel to its intersection with San Fernando street: In Santa Clara street, from First street to Market street: In Market street, from Santa Clara street to San Fernando street: On the south side of San Fernando street, from Market street to First street; and on San José street, from the south end of the Legislative Hall to where it intersects San Fernando street, on the east side only. These were to be constructed of the best inch-and-a-quarter pine, red, or fir wood, with well-made gravel crossings, and of five feet in width; one-half of the expense was to be borne by the city, the other moiety by the property-owners fronting on said streets, an equitable assessment being made by the committee appointed to superintend the work, Messrs. Curl and Garrison.

On the 23d December authorization to rent a room for the use of the Mayor and Common Council was given to the City Marshal; while about this period a petition, signed by about a hundred citizens, stating that there are continuous abuses of the ordinances against the sale of liquors on the Sabbath, was presented to the City Fathers. It described that these misuses tended greatly to the detriment of the law-abiding citizens, and immensely to the benefit of those who use all kinds of chicanery to thwart the spirit and intention of said ordinance—moreover, that while the small dealers pay comparatively the largest sum for license, their best day is taken from them, thus making it doubly burthensome for them to pay such license. In view of these facts, presumably because "their best day" was taken from them, and not from any sentimental idea that the Sabbath was made for man, the repeal of the ordinance which prohibits the sale of liquor on that day was prayed for.

We shall now turn to what proceedings were taken in regard to the State Capital during the year 1850.

In accordance with the resolutions adopted at a meeting held September 3, 1849, that the Town Council, following out the prayer of the citizens of the pueblo, "offer for the acceptance of the Convention now assembled at Monterey, the square known as Washington square, which contains thirty acres, more or less, of land, for the sole purpose of erecting State buildings

thereon, and to be used by the State Government for all such public purposes as they may deem necessary for the Capitol of the State, it being understood that whenever the Capitol shall be removed from the square it shall again revert to the people of the pueblo." At a meeting held January 17, 1850, the following resolution was unanimously adopted: "Be it *resolved*, that the Town Marshal be directed to deliver over to the Chairman of the Committee on Public Buildings of the Legislature now assembled in this place for their acceptance a deed of Washington square, and if accepted by the State, to be placed on the Minutes of this Ayuntamiento; and that the Alcalde in such case be required to make out such a deed to the State of California." On the 13th March the Ayuntamiento, in meeting assembled, resolved, "that a committee of two be appointed to contract with the owners of the house occupied by the Legislature of the State of California for the purchase thereof, and that said committee have power to pledge the faith of this town for the purchase money thereof, with interest at the lowest rate per month possible. And be it further resolved, that the proceeds of the sale of lots already sold, as also all lots which may hereafter be sold, shall be appropriated for the payment of said house. The committee, Messrs. Davidson and White, entered upon their duties forthwith, and on April 11th made the following report: "Your Committee to whom was referred the purchase of the building now occupied by the Legislature of the State of California report as follows: That they have contracted with the trustees of said building on behalf this city, the nature of which contract is that the said trustees enter into bonds for the delivery of the titles, house and all the appurtenances thereunto belonging, on the condition that the Ayuntamiento will now pay over the interest until the 1st day of May next, in the sum of fifteen thousand dollars, from the 1st day of February last, and also to pay the interest on the remaining portion of said purchase money, being nineteen thousand dollars, from the 1st day of May next, at six per cent. per month, payable monthly, making the whole amount of said money, in all thirty-four thousand dollars; all of which is respectfully submitted, etc." It should have been mentioned that the report was made to the Mayor and Common Council, who had in the meantime succeeded the Ayuntamiento, in accordance with the Act of Incorporation, they resolving, April 9th, that all contracts entered into by the Committee to provide for the Legislative Hall, under authority of the late Ayuntamiento, shall be held good by the authorities of the city. Meanwhile the city had become involved in debt, and the Mayor was directed to raise the sum of thirty thousand dollars, to wipe it out. Ultimately the debt of the city was assumed by the county; but we must not anticipate.

We have seen that the premises occupied by the Legislature were purchased from the trustees, Aram, Belden and Reed, for the sum of thirty-four

thousand dollars payable within six months, with interest at the rate of six per cent. per month. The Legislature passed an appropriation of fifty thousand dollars to pay for the building, and bonds were issued for that amount and for that purpose, bearing interest at two and a half per cent. per month. In this regard it was introduced by Dr. Cory and resolved by the Mayor and Common Council August 19, 1850, "That the Trustees of whom the city purchased the City Hall, be empowered to dispose of the amount of State Scrip which was deposited in their hands as collateral security, to the best possible advantage, and pay the money thus realized over to Don Pedro Sainsevain in liquidation of the note he holds against the purchasers of said house, provided that said scrip shall not be sold for less than twenty-five per cent. discount upon the amount on the face." On September 16th, an ordinance was adopted by the Common Council, authorizing the sale of State Scrip to the amount of twelve thousand nine hundred dollars for payment of trustees of Legislative Hall; while another ordering the Treasurer to pay over to Messrs. Aram, Belden and Reed, trustees of the Legislative Hall, the sum of eight hundred and eighty-five dollars, in part payment of the amount due them by the city, was passed; and yet another was carried directing the President of the Council to issue a draft on the City Treasurer for the sum of six hundred and eighty dollars in favor of Pedro Sainsevain to pay extra interest of two per cent. per month for the term of four months on the sum of eight thousand five hundred dollars.

Meantime the city authorities sold the property to the county, as will be shown below, for the sum of thirty-eight thousand dollars, payable in three months, but the money was not applied to liquidate the debt to Messrs. Aram, Belden and Reed, but was used for other purposes. Thereupon proceedings were commenced against the city. On December 23d a summons was presented and read from the District Court of Santa Clara county, to the Mayor and Common Council, to appear within ten days and show cause, if any, why judgment should not be rendered against them in favor of J. Aram, J. Belden, and J. F. Reed, in the sum of fifty thousand dollars. Mr. Hanks then proposed a resolution instructing the City Attorney to confess judgment in the above case, after having deducted the amount paid on the debt, which, on motion of Alderman Cory, was adopted. Thus this matter rested at the end of the year 1850.

Let us now follow the steps taken in 1850 whereby the county authorities assumed the debt of the city of San José.

Under date June 10th, Alderman Cory presented to the Common Council the following preamble and resolutions:—

WHEREAS, It is contemplated by the authorities of the County of Santa Clara to commence, within a short period, the erection of county buildings: And, whereas, it is deemed by the Mayor and Common Council of this city,

conducive to the best interests of this city, to aid and assist in the prosecution of said work; therefore,

Resolved, By the Mayor and Common Council of San José, that the Mayor be and he is hereby instructed to tender to the proper authorities of this county either the northern or the southern half of Market square as a site upon which to erect the county buildings. *Resolved*, That if this proposition is accepted by the county authorities, the Mayor shall make out a good and sufficient deed to the county, for that part of Market square that shall have been accepted, subject to the following conditions only: *First*—The county shall not infringe upon any of the streets. *Second*—If ever the county ceases to use the grant for county purposes for the space of one year, it shall revert to the people of the city. *Third*—All the county buildings shall be located upon the grant except the prison, with regard to which the county authorities may use their own pleasure." The site, however, did not suit, therefore the choice of St. James square was given to the county on July 11th. However, they must have returned to the original selection, for we find the Council, on September 2d, directing the City Attorney to make out a deed to the county for so much of Market square as is exhibited upon the plot of the city as is contained between its southern limits and a line produced from the southern margin of San Antonio street to the western margin of the Market place, as a site upon which to erect county buildings. The deed was refused by the county, and affairs took another turn.

On October 8th a committee was appointed consisting of the Mayor, City Attorney, with Aldermen Cory and Foster, to confer with Judge Redman to endeavor to negotiate a sale of the City Hall to the county. These transactions apparently came to something, for we glean from the records, under date October 21st, "It was resolved that the form of a deed granting Market place to the county of Santa Clara as a site for the public buildings, presented by the City Attorney, be authorized to be authenticated on the part of the city. And that the articles of agreement presented by the Mayor, providing for the giving of a deed for the State House and lot to the County of Santa Clara, upon the performance of certain conditions therein expressed by the County Judge, on the part of the county, be also authorized to be authenticated on the part of the city." The agreement reads: "J. W. Redman, County Judge and Commissioner on behalf of the county, agrees to the following conditions, in the event the city give to him as such Judge and Commissioner, a good and sufficient fee-simple deed to the said Market square, and also a deed for the present State House, and the lot upon which it stands: Redman agrees to reserve streets on each of the four sides of Market square, of a width not less than eighty-five feet. *Second*—To continue San Antonio street through the center of said square with the right to put the Court House on such central space. *Third*—To pay for the erection of the jail

now being built under contract for the city and to pay for the repairs authorized by the Council to be done to the State House, and to allow said State House to be used for the session of the coming Legislature, free of expense to the city ; and to permit the city to incarcerate their prisoners in the said jail until such time as the city can provide a suitable prison. *Fourth*—The said Redman agrees to pay the debt and interest due by the city upon the said State House, amounting on the 1st November, proximo, to thirty-four thousand six hundred and eighty dollars." It was then resolved by the Council, "That the moneys agreed to be paid by the County Judge of Santa Clara county on the part of said county to the Mayor and Common Council of the city of San José, arising from the proceeds of the sale of Market place, when the same be divided into lots, shall, and the same is hereby authorized to be paid to Joseph Aram, Josiah Belden and James F. Reed, Trustees in behalf of the mortgage held by themselves and others against the city of San José, until the said mortgage be satisfied." A committee to whom was referred the sale of the State House and Market square on October 28th, reported the conclusion of negotiations, said report being adopted.

With respect to Pueblo Lands in 1850, we find that on the 23d January the Ayuntamiento enacted that the Alcalde should ascertain the amount of land in the pueblo remaining unsold, and that such should be divided into lots and offered for sale after thirty days' public notice. On January 30th, a committee of two were appointed with power to employ a competent surveyor to survey all the lands west of Market street, and extending from lot No. 5, south of the base line to lot No. 32, held in the name of Maria José Soto de Stokes. It was further ordained that it shall be the duty of said committee to give public notice in Spanish and English to the citizens interested, that all and each of them present their title or claim to the Commissioners to be appointed by the Ayuntamiento for their approval, and when so approved, the said Commissioners shall give to each person so entitled, a certificate of the same, and upon presentation to the Alcalde of said certificate, he shall issue thereon a title to such lot or tract of land; but in no case shall the Alcalde grant more, or a better right than a quit claim of said pueblo; and be it further enacted that each and every person receiving such certificate shall pay for the expense of surveying, title and other incidental expenses. February 11th, it was resolved:—

"WHEREAS certain lots known as 'five-hundred-acre lots' have been disposed of by the preceding Ayuntamiento of the Pueblo de San José upon certain conditions and restrictions, which conditions have not been complied with; therefore, be it ordained by the Ayuntamiento of the Pueblo de San José that all the lots of land known as 'five-hundred-acre lots,' where the stipulations have not been complied with are hereby *denounced* and forfeited to the people of said pueblo."

Owing to the straightened circumstances of the Ayuntamiento, application was made to the Governor to revoke the order prohibiting the sale of Pueblo Lands which was thus effected:—

“WHEREAS the Ayuntamiento of the Pueblo of San José, in a Memorial presented to the undersigned on March 2, 1850, hath shown that the municipal authorities of said pueblo were in great want of funds for the support of the police of said place, and praying for the revocation of so much of the Order of the Executive of January 2, 1850, as prohibits the sale of municipal lands of said pueblo. Now, therefore, I, Peter H. Burnett, Governor of the State of California, in the name and by these presents revoke and set aside the said Order of the Executive, dated the second day of January in the year of Our Lord 1850.

“Given under my hand this fourth day of March in the year of Our Lord 1850.
PETER H. BURNETT.”

It may be stated that the Governor especially approved the sale of lots by letter bearing the same date. On March 9th, the Council passed the following resolutions: “That if any of the purchasers of the lands sold by order of the Ayuntamiento be legally deprived of said land by any former claim the purchase money, without interest, shall be returned to them;” and “Be it resolved by the Ayuntamiento, of the Pueblo de San José, that the First Alcalde be and is hereby authorized to offer or cause to be offered for public sale in the town of San Francisco all the vacant lots known as the north section of the survey; as surveyed by Messrs. Milner and White by order of the Ayuntamiento, and be it further resolved that said Alcalde be further authorized to make out deeds in the same manner and form as the deeds made out in this pueblo, and receive the proceeds of said sale and deposit the said proceeds with Messrs. Burgoyne & Co.” J. D. Hoppe was appointed to give public notice of the sale, to make the necessary arrangements, and requested to publish in the name of the Ayuntamiento, a notice to all persons to beware of purchasing any land laid off into lots or otherwise lying between the pueblo and Santa Clara Mission on the west side of the Guadalupe, as the same will be claimed by the pueblo authorities under the title bearing date A. D. 1783.

The total value of taxable city property as per the assessment roll for the year 1850, was two millions, six hundred and forty-five thousand, six hundred and twenty-five dollars.

Now for some general history. The most exciting circumstances supposed to have occurred during the year 1850, was the reported discovery of gold in the Coyote creek. This startling intelligence was bruited abroad, on the morning of Sunday, the 3d February. There was a general stampede to the “hallowed” spot; pick-axes and shovels, pans and kettles, were incontinently seized by Senators, clerks, and loafers alike, and carried off to the mines; and

what a result! If there was any gold it was never found, and few cared to acknowledge that they were bitten with the fever so near home. Another intense excitement was a race which took place, on All Fool's Day, between Andres Pico and a horse from Sonoma. The wager was ten thousand dollars, and was won by the foreign quadruped.

Who, among those pioneers now remaining, will forget the Fourth of July, 1850, the first celebration of Independence Day in San José? The interest felt, on the auspicious occasion, was intensified by absence from the "old folks at home," if possible made keener by the distance which separated California from the civilized world. Mr. Hall records the doings on that day, in these words: "The Hon. William Voorhees delivered the oration. James M. Jones also delivered one in Spanish, for the benefit of the Mexicans present. Mr. Sanford (lawyer from Georgia), read the Declaration of Independence. Thirteen young ladies, dressed in blue spencers and white skirts, rode on horseback, followed by the 'Eagle Guards,' commanded by Captain Thomas White; also, five hundred citizens, some on horseback, some in carriages, and some afoot, made up the National pageant, that wound its way to the south of the town, a mile or more, to the grove near the Almaden road. And there the ceremony was performed to the great pleasure and pride of the American settlers in this new country."

During this year, John W. Whisman and Ackley & Morrison established their stage lines between San Francisco and San José, the fare being "two ounces," or thirty-two dollars, but the roads becoming impassable, at the end of the year and early in 1851, the lines were withdrawn, and the traffic to San Francisco diverged to Alviso, where connection was made with the two steamers *William Robinson* and *New Star*. In this year, too, the first Court House, under American rule, was erected. It stood on First street, a little south of Santa Clara street and opposite Fountain alley, while the Juzgado was torn down, and the adobes, which composed its classic walls, were used in the construction of a fine house, erected at the north-east corner of Market and Santa Clara streets, on the site now occupied by the Great American Store of T. W. Spring.

In this year was started the first newspaper in the county. It was named the *State Journal*, and made its appearance December 19, 1850, under the editorship of James B. Devoe. It ceased to exist shortly after the adjournment of the Legislature in 1851.

The year 1850 will also be remembered as that in which Mariano Hernandez escaped from the custody of Sheriff Yontz, while being taken by that officer to the office of the County Judge. Hernandez had been indicted in another county, for the murder of John Foster, whom, it is said, he robbed of gold-dust to the amount of thirty thousand dollars, report averring that he had killed another man also. This escape resulted in the holding of an

immense indignation meeting on First street, nearly opposite the Mansion House, and threats of dire vengeance were hurled at the Judge and Sheriff, some being in favor of hanging both, but the assemblage dispersed without the commission of any act of violence. Crimes were more numerous in the vicinity. A Mexican was slain about three miles from town, on the Almaden road, and on December 15th, E. G. Baker, Digby B. Smith and Mr. Wood were murdered and their bodies burned in the house of Mr Bester, near the Los Gatos creek. The funeral ceremony, over the remains of the deceased, held by Mr. Brayton, was the first sermon preached in the new Presbyterian Church, which stood on the site now occupied by the handsome brick edifice on Second street.

1851.—On the 26th of January of this year a railroad meeting was convened, and on February 3d the following petition was presented to the Council, and fairly evidences the spirit which then pervaded the minds of the responsible citizens of the fast-rising city: "Your petitioners would respectfully solicit the earnest attention and consideration of Your Honorable Body in regard to the results likely to be effected by the recent passage of the Act by the Legislature for the removal of the seat of government of the State from this place. In the estimation of your petitioners it would appear, that although the evident prosperous destiny of our city cannot be defeated by the Act, yet the present rapidity of its advancement in population and size must be seriously impeded by the uncomplimentary impression which it must convey to the minds of those who have never visited our beautiful valley. Besides this, the investment of capital and the emigration of mechanics and laborers which the erection of public buildings and other improvements must necessarily have attracted here, and which in themselves would have created life and business activity in our midst, will now be directed towards Vallejo, unless some other influential impetus can be brought to bear upon our affairs, which will oppose this ebbing tide. This your petitioners would respectfully submit can be most effectually accomplished by Your Honorable Body encouraging to the extent of your powers the execution of the recently agitated enterprise for the construction of a railroad between this place and San Francisco. This important desideratum would be most materially enhanced if Your Honorable Body, together with those liberal citizens of this city and Santa Clara who so generously contributed to the proposition lately offered to the State, would consent that the substance of the said proposition—being rejected by the State—should be subscribed, at a fair valuation, to the said contemplated railroad. Your Honorable Body will at once perceive the immense advantages which must result from such a course, both to the city and individual proprietors of property in the valley; placing as it does the practicability of this scheme beyond all question, the salutary influence of which has been so ably and

amply shown and sustained that it needs no argument of your petitioners to confirm. Your petitioners would further remark that in the event of the passage of usury laws by the Legislature such an enterprise, from its unimpeachable promise would afford so alluring a temptation to capitalists as to place its speedy completion beyond the probability of a doubt. A compliance with the above suggestion must also be plainly manifest to Your Honorable Body involves much less of sacrifice than the proposition made to the State—the value of the subscription being passed to the credit of the parties in the railroad stock—and secure a much more important end. In hopes this may meet the approbation of Your Honorable Body, and receive that deliberation and action at your hands which the subject merits, your petitioners will; etc.” Here follow the names of Charles Campbell, Davis Devine, E. D. Hammond, James B. Devoe, F. L. Post, John Barker, H. C. Melone, Lewis Post, C. T. Ryland, James F. Reed, John H. Watson, William B. Stockton, C. P. Hester, T. B. Macina, W. Van Voorhies, George W. Barker, J. D. Hoppe, D. P. Belknap, Isaac Branham, W. B. Thompson, James C. Cobb, Josiah Belden, John L. Houston, A. Morrison, P. Quivey, Hart & Addis, A. F. Coddington, G. A. Dabney, A. S. Caldwell, H. C. Smith, G. B. Tingley, Lewis Cory, L. C. Wasa, A. J. Yates. Three days thereafter another memorial was presented, stating that several large meetings had been held for the purpose of organizing a Railroad Company to construct the line proposed; that an Executive Committee had been appointed to take charge of all preparatory measures for the organization of the company and the soliciting of donations of the right of way through lands; and that they now request the Council to donate and convey to the Trustees, designated by the Executive Committee, on condition of the completion of the road within a reasonable time, the lots and lands heretofore proposed to be ceded to the State on condition of this place being fixed upon as the permanent seat of Government of this State, reserving therefrom the squares known as Washington and St. James squares, to be owned, held and used for the use and benefit of said company when organized; or their assigns, together with the right of way on the land of the city. The petition was subscribed to by upwards of eighty citizens.

These memorials were referred by the Common Council to a committee, who reported, through Mr. Cory, their earnest consideration of the probable result of the recent transfer of the seat of Government of the State, and suggesting a subscription to a railroad, etc. They acknowledged the immense benefits that would be derived from a connection by railroad between the cities of San Francisco and San José, but forbore to recommend any subscription until the Council should be informed whether their heavy indebtedness incurred for the benefit of the State, was to be assumed by that Government or the authorities of the county. After this the matter

of railroads would appear to have lain dormant until it was resuscitated on the 4th October, consequent upon the receipt of a petition from Davis Devine, President of the Atlantic and Pacific Railroad Company, praying the Corporation to grant to it the right of way through any of the alleys, streets, or public squares of the city for the purposes connected with the construction of a railroad. Mr. Aram then presented an ordinance concerning the same, which, on motion of His Honor, Mayor Belden, was referred to a select committee.

The calculations for the building of a railroad between San Francisco and San José were, at the time, based upon the amount paid out over the route for transportation and freight. It was estimated that for the seven months ending January 31, 1851, there had journeyed between the two points ten thousand five hundred passengers, who had expended the sum of one hundred and sixty-eight thousand dollars, the fare being sixteen dollars each; and two million feet of lumber to Alviso, the embarcadero, at fifteen dollars per thousand. Meeting after meeting was held, though no official action was taken. By the month of July, fifty thousand dollars had been subscribed; in December the road had been surveyed, and a report made by the civil engineer, William J. Lewis, that was published December 26, 1851. The cost of the road was, at the time, estimated as follows: Construction of road, one million three hundred and eighty-five thousand seven hundred and twenty-six dollars and seventeen cents; buildings and fixtures, forty-nine thousand dollars; running furniture, one hundred and four thousand, four hundred dollars; total, one million five hundred and thirty-nine thousand one hundred and twenty-six dollars and seventeen cents.

We will here resume the thread of our narrative in regard to the granting of salary to the Common Council, last mentioned on page 351. On January 20, 1851, the Common Council rejected an ordinance providing for the payment of Aldermen, for their services from November 11, 1850, and, at the same session, another, providing for the salary of members of the Common Council, at sixteen dollars a meeting, when in attendance, "said salary to commence in conformity with an ordinance heretofore passed," from the time of their election to office was adopted, by the following vote: Ayes—Messrs. Garrison, Shereback, and Clement; noes—Alderman Curl. On the 27th, the ordinance was returned by Mayor Belden, unsigned, with the following remarks: "The accompanying ordinance providing for the payment of salaries to the members of the Common Council having been presented to me for approval, I deem it my duty to decline approving it for the following reasons: First, the fact that the finances of the city are at present in such an embarrassed condition that it appears almost impossible to obtain means of liquidating the obligations already outstanding against the city; therefore it appears to me unwise, as a public measure, to heap increased indebtedness

upon an exhausted treasury, when there are no visible means of discharging it. I think, under such circumstances, no further expense should be incurred than what is required by absolute necessity for the public good. Second, the payment of salaries to Members of the Council is a measure which I believe never was contemplated in the establishment of the municipal government of the city—which is contrary to custom in all cities of which I have any knowledge—which is entirely unauthorized by any provisions of the City Charter, and which, I have reason to believe, was not expected by the members of the present Council at the time they were elected to office. I think, moreover, that, as an ordinance to nearly the same effect, which was passed some time since, has been recently repealed, it seems to show an inconsistency, and want of stability, in legislation, to re-enact a law soon after its annulment. If the finances of the city were in a more flourishing condition, I might not urge any objections against the Members of the Council receiving a reasonable compensation for their services; but while the city is unable to pay her debts, or furnish bread and meat to her suffering poor, I think the creation and payment of salaries not contemplated by the City Charter, or the citizens themselves, is a measure that might be dispensed with. I, therefore, for the reasons above stated, feel compelled to return the ordinance referred to, without the sanction of my approval."

Notwithstanding the condemnation of the measure quoted above, Alderman Garrison, March 4th, offered an ordinance "to entitle each member of the Common Council to draw upon the City Treasury for sixteen dollars for each night of service, and in cases of absence, to receive pay only when the excuse rendered should be accepted by a majority of the members." Thereupon ensued a discussion between Aldermen Cory, Curl, and Garrison, when the last-named gentleman asked and obtained leave to withdraw the ordinance, which, with the addition of some amendments, he once more presented for acceptance. On motion of Mr. Shereback to adopt, the ayes and noes being ordered, resulted as follows: Ayes—Messrs. Curl, Clement, Garrison, Hanks, and Shereback; noes, Mr. Cory. It was, in due time, transmitted to Mayor Belden, and by him returned, with the following message: "As this is the fourth ordinance of the same nature that has been presented to me, and as I have on former occasions stated my objections to the ordinance, it appears unnecessary to repeat them again at this time. I do not see the necessity of going through the same course of proceedings several times in succession. When the former ordinance was returned with my objections, it was at the disposition of the Council to reconsider the vote, and pass it, according to the provisions of the City Charter, or not, as they thought proper. As that was not done, and as the same objections still exist, I feel compelled to return the ordinance without my approval, on the ground that

the state of the city finances will not justify it, and that it is not sanctioned by the City Charter." Even now the affair was unended. A resolution, introduced on April 3d, by Alderman Cory, to disentitle the members from receiving pay for their services in the Council, was rejected; but a motion, having the like end in view, offered by Alderman Curl, was adopted on the same date. It then became the custom for the motion to be made at each season "that the members receive no compensation for this meeting," until, on the 19th of April, the following proceedings were had: "An ordinance to repeal the ordinances of March 10th, and May 18th, which established the salaries and fees of city officers, and *granted compensation to Members of the Council*, was proposed by Alderman Cory, and, on motion of Alderman Belden, adopted."

The following statement in regard to the revenue of the city was submitted and adopted, January 27, 1851, on presentation of the reports of the Treasurer, Collector and Clerk of Council: "That it was impossible for the committee to strike an accurate balance between the receipts and expenditure of the city owing to the failure of one of the former clerks to record the amounts of certain bills which were audited by the Council; that from the amount of data in their possession they were enabled to produce the following results:—

City Income for year ending January 4, 1851.....	\$37,359 30
City Expenditure for one year ending January 4, 1851.....	37,106 04

Amount of credit of City.....	\$253 26
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Included in above amount of expenditure was seven thousand five hundred dollars for claims incurred during the previous year by the Ayuntamiento and paid by the present Council from out of the revenue of the present year."

On April 12th, the total amount of taxes collected to date was:—

Real estate and Personal property	\$26,783 00
License tax	13,326 00
Taxes on "Five-hundred-acre lots"	174 50

Total	\$40,283 50
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On April 15th, the financial state of the City was:—

Receipts of Revenue amounted to	\$42,236 38
Disbursements.....	17,640 87

	\$59,877 25
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Various expenses.....	\$50,090 56
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Redeemed scrip	9,729 69
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	\$59,820 25
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Balance in Treasurer's hands.....	\$57 00
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There was also due on this date	\$23,000 00
Scrip outstanding.....	7,910 00
Total	\$30,910 00

Of municipal appointments made in the year 1851 prior to the election of the Corporation in April, we find that on January 7th, D. H. Mason was elected Clerk of Council *vice* Bartlett resigned; January 20th, Joseph Simpson was appointed to the same office in place of D. H. Mason resigned; and on April 15th, the general election for city officers was held with the following result: Mayor, Thomas W. White; Common Council, Joseph Aram, J. B. Devoe, (appt. President) Ben Cory, H. C. Melone, J. M. Murphy, Josiah Belden, Jacob D. Hoppe; Attorney, John H. Watson; Assessor, Charles E. Allen; Treasurer, Frank Lightston; Marshal, George W. Whitman, Clerk, J. Simpson.

On April 19th, His Honor, Mayor White addressed the following message to the Common Council: "GENTLEMEN.—I regret that the shortness of time before me and the difficulty of immediately perceiving the best course of action to be pursued in relation to the duties upon which we are just entering renders this communication briefer and more general than it would have been under other circumstances. I shall therefore merely invite your attention to such subjects as require the earliest action.

I perceive that heretofore there has existed in the city offices such a want of order and system in keeping books and papers as to be productive of much inconvenience if not loss—I would therefore recommend that the Clerk, together with some individual acquainted with the Spanish language, be employed to collect as soon as possible all the books and papers belonging to the city government, and properly file and arrange them in cases well secured.

And I would further suggest that such a method be hereafter pursued in the various offices as will effectually guard against the present confused and insecure state of the city archives.

I would, moreover, recommend that regulations be adopted more particularly specifying the time, manner, and form of every officer's report.

Although the indebtedness of the city is great, and the most rigid economy consistent with safety should be pursued, yet, I am convinced that a small police force should be constantly employed. Crime and disorder are becoming so common that unless adequate means be employed to enforce the law, the very object of the city government must be defeated. Certainly a night-police should be employed.

I would recommend that the present rate of taxation (one *per centum*) be continued, as the assessment for this year will be so much lower than for the last, as even at the present rate to produce too small a revenue. I shall soon communicate with you in regard to licenses.

I would suggest that hereafter no more issues of scrip be made—more than eight thousand dollars are now in circulation—and I would recommend that if any interest is hereafter to be paid on audited bills, that the rate be reduced.

I would further suggest that the ordinance prohibiting the sale of spirituous liquors to Indians be more fully and clearly defined.

I would recommend that at an early date the city prison be better ventilated and that the door be rendered more secure, as in its present condition it can easily be thrown down.

Under our charter it is very doubtful whether a chain-gang can be made, and although our streets require much working, we must at present resort to some other method than by working prisoners upon them.

I would respectfully urge that a Fire Department be immediately organized, and if necessary that an engine and other apparatus be procured—but there is reason to believe that the public spirit of our citizens will render any outlay by the city in this matter unnecessary.

The city of San José, it is believed, has valuable property in lands outside of its limits, but as no certain action can be taken in relation to it until the original titles are procured, I would recommend that the City Attorney be directed immediately to cause a thorough search to be made for them in the archives in this place, and at Benicia and Monterey; and if necessary to apply to our Minister at Mexico for authenticated copies of the original grant, and other papers and documents in any manner touching this important subject, and that he report to Your Honorable Body at the earliest period. I deem this a matter of the greatest importance and trust that no labor will be spared in urging this investigation with energy.

In concluding this hasty communication allow me to add, gentlemen, that I am gratified in knowing that the intelligence of Your Honorable Body, and your sincere desire to promote the greatest public good cannot fail to command the approval and admiration of your fellow-citizens; even if, in the discharge of your duty you may occasionally conflict with the private interests of individuals.

When a railroad communication (now so generally desired) shall unite our beautiful valley with the great mart of our State, thereby facilitating its agricultural development, it will only remain with you to so direct the affairs of our city, as to make it one of the most desirable residences in this or any other country.

In every measure which has in view this object, or which will add to the prosperity of our city, increasing its resources, insuring its health and safety, or contributing to its beauty or morality, I assure you of my hearty co-operation."

January 27, 1851, there was passed an ordinance, by the Council, whereby

it was proposed to donate both St. James and Washington squares to the State on condition that San José should be made the permanent seat of government, but to no good effect. April 19th, a committee was appointed to draft amendments to the charter; on May 3d, a resolution tendering their thanks to the Senate for their "munificent gift" to the city, of the Senate Chamber, introduced by Alderman Murphy, was adopted by the Council; on June 11th, the resignation of Alderman Devoe was received, who was succeeded by William Aikenhead, on the 10th July; and on September 17th, the following extraordinary petition, in favor of gambling on the Sabbath, was received from Francisco Carrillo: "*To the Honorable Mayor and Common Council of the City of San José:—*Your memorialist, Francisco Carrillo, a resident of this place and proprietor of the public saloon, known as the Mina de Oro, respectfully prays that the prohibition now existing against games of hazard being pursued on the Sabbath day, be repealed by the action of Your Honorable Body, and as grounds for his petition, he begs leave to set forth the following reasons:—

"Sunday is a day not only of rest and relief from the labors of the week, but to many it is a day, out of the seven, the most appropriate for the pursuit of pleasure and amusement.

"There are many persons, now residing in our midst, who look upon gaming in a far different light from that of the stern moralist, and they fondly regard it as the favorite occupation of the Sabbath day. They become aware that on this day it is forbidden within our municipal limits, but this circumstance does not either prevent or deter them from engaging in this, their most highly-prized pastime. Some go to the neighboring town of Santa Clara, where the prohibition does not exist; others choose the Mission of San José; while many form parties, who depart from the town on the approach of Sunday and entertain their usages and desires in this recreation, in places where they are able to wink at the provisions of a municipal ordinance. The money which changes hands, and circulates through the medium of games of hazard, is really a loss of considerable moment, when this amusement is pursued elsewhere; and the truth of the assertion does not admit of a doubt, from the fact that since this prohibitory ordinance went into force, the scarcity of money has been ten-fold more manifest.

"In addition, there is another important necessity for the repeal of this extremely moral ordinance, which, although it be a reason that emanates from the same source, it is of a different nature from those preceding. The inhabitants of southern climates, not only those who spring from Spanish origin, but also those who have emigrated from the Southern States of the American Confederacy, have followed this pastime on all days of the week, from time immemorial; it is with them an established custom, and consequently an occupation and pleasure which they cannot abstain from, nor is it likely or

possible, when the example and inclinations of their race have changed this practice into a fixed and immovable characteristic of their nature, for them to forego the attraction of the amusement, and bow obedience to the repugnant doctrines of this municipal law. The law may be enforced within the city limits with the utmost vigor and diligence; but beyond, gaming will inevitably exist, followed by those who, from their birth, have been accustomed to its presence.

"It is also the belief of our memorialist that the prohibitory law of this city against gaming on the Sabbath, has the honor of occupying an isolated position, or in other language, being the only one in force in this State, and providing for the removal of a pursuit which the Californian Legislature up to the present, have not thought proper to interfere with. There is another belief entertained, not only by the writer of this memorial, but by many prominent and affluent citizens of this place, that while gaming is forbidden on the Sabbath by our municipal regulations, there exist well-founded objections for many who would otherwise visit our city, and perhaps select it as a place of residence. Your Honorable Body is well aware, that there are many who loudly vent their displeasure and spleen against the disagreeable monotony of a Sunday here in our city, that they utter their discontent in a variety of disordered exclamations and anathemas, condemning the same ordinance in question; the native farmers and rancheros, invariably depart for their homes as soon as their religious duties are discharged, when, otherwise they would continue here during the remainder of the day. Our city is clothed with a soulless and gloomy appearance on this day, which your memorialist sincerely believes results from the moral, though ruinous, effects of this ordinance. Then, again, those who are unwilling to remain, or even visit our city, are they who have scattered their money, in profusion, in our midst, and given to the business of the place its most vigorous impetus in the last three years. This fact is well comprehended by the business members of Your Honorable Body, and although morality forbids, policy should dictate the repeal of a regulation so obnoxious to the inclinations of a part of the inhabitants of this State, who have materially benefited and still may benefit our newly incorporated city.

"Your memorialist would also respectfully represent that the license taxes, imposed by the laws of this city, are exceedingly burdensome, and that Sunday is the only day of any certain or considerable profit to himself, and to others who follow the business of keeping public saloons, and its respective business must discontinue, will be the inevitable result; and, if such be the fate of these houses of resort, the members of Your Honorable Body can readily perceive that the pernicious effects of this ordinance, will be to deal a death-blow to the whole of the business of the city. Even if it effects nothing more than to cause the saloons to discontinue their operations this



S. W. de Lacy



pay over to the City Treasury a considerable sum monthly to defray taxes.

are numerous reasons with which he could justify his memorial, memorialist is well convinced that this communication is already. He is aware that it will not be policy to exhaust your patience, so comprehends the fact that the bitter truth of this memorial, does ly coincide with the moral and prejudiced views of a limited number constituents.

which is respectfully submitted."

nittee appointed to examine into the establishment of a market the 1st October reported that, in their opinion, Santa Clara street, first street, would be the most suitable place for the location of a arket, and recommended the erection of a building, thirty by one feet, the probable cost of which would be about fifteen hundred ve hundred of which it was believed could be raised by subscription was further suggested that the building should be divided into stalls, at a rental of sixteen dollars a month each, and thus in a e repay the money expended, and afterwards yield a revenue to the oposals for the erection of such a structure were thereupon ordered; ber 15th, permission was asked of Mr. Fannen "to lay pipes beneath s through which to introduce fresh water into the city."

t heard of the Pueblo Lands on page 357; let us continue the subund in the proceedings of the Mayor and Common Council.

rch 31, 1851, an ordinance was proposed by Dr. Cory, and adopted, t a Commission to obtain information in relation to the original land made to the Pueblo de San José de Guadalupe by the Viceroy

the Council the state and progress of their investigations, and that after having procured all the documentary evidence and information possible upon the subject, they lay the same before the Council, and that the Council shall then direct the Commission to make application in proper form to the United States Commissioners to confirm to the City of San José all the land which it shall appear to the Council that the city is justly entitled to. I think some provision of that kind would be proper, to guard against any undue influence being exercised in deciding between the claims of individuals and the claims of the city. With these few suggestions I return the ordinance for your further consideration." On motion of Mr. Cory, the message was laid upon the table and the vote upon the ordinance reconsidered. Upon the question: Shall the Bill pass? It was lost by the following vote: Ayes—Alderman Garrison; noes—Aldermen Cory, Curl, Clement and Hanks. Mr. Cory thereupon introduced "An ordinance to appoint a Commission to investigate and establish the claims of the City of San José to lands," which was passed as amended by the suggestions of the Mayor. On the 19th the City Attorney made this report: "By Royal ordinance of the King of Spain in the year 1775, Felipe de Neve was commissioned to make regulations for the Provinces, amongst other things he founded the pueblo in 1777, established in 1779 regulations which were approved in 1781 by the King and directed to the Viceroy of New Spain, now Mexico. From the foregoing there can be no doubt but that all the documents necessary to establishing the bounds may be found in Mexico. In addition I find in the "Recopilacion De Indies" that a Pueblo is entitled to "cuatro Leguas en candro." This is rendered differently by different translations; some think it is four square leagues, others sixteen square leagues. I shall examine at Benicia, ten days hence, the archives, where I have reason to believe important papers exist touching the rights of the Pueblo." In the meantime a new Corporation was installed in office, Mr. White occupying the Civic Chair. On the 30th April he declined to accede to a dissolution of the injunction upon the sale of city property, retaining his reasons for so doing until some future occasion. Pending the receipt of these, on motion to reconsider the vote by which the ordinance was passed, on being introduced by Alderman Belden, was adopted; the question then recurring: "Shall the ordinance pass, notwithstanding the objections of the Mayor?" it was carried by the following vote: Ayes—Aldermen Aram, Belden, Hoppe, Murphy; noes—Alderman Melone. On May 3d the "Resolution to Dissolve Injunction" was received from His Honor the Mayor with his promised remarks: "I return to Your Honorable Body the resolution adopted April 23, 1851, directing the City Attorney to procure a dissolution of the injunction upon the sale of city property as soon as practicable: First, The interest of the city requires a postponement of the sale. Second, The city is entitled to all legal advantage

when suing or being sued in a Court of Justice. Third, The granting of the injunction implies that either informality, an agreement, or injustice exists; and until said injunction is dissolved by due course of law, I feel bound (as one of the conservators of the city's rights) to respectfully dissent from the resolution." On the foregoing being read it was moved by Dr. Cory, and carried, that the vote by which the resolution was passed be reconsidered. The question then recurring upon the passing of the resolution, despite the objections of the Mayor, it was adopted, by the following vote: Ayes—Aldermen Cory, Hoppe, Murphy, President; noes—none.

On the 7th May a communication was received from the Mayor advising the immediate necessity of investigating the title of the city to lands; and recommending in relation to the anticipated Sheriff's sale, of city property, that the Council direct the same to be sold in small quantities, and have notice of the sale made in the most important cities of the State, and that only as much should be sold as would pay off the amount of execution; and further recommending that the City Attorney be directed to inquire into the probable forfeiture and revocation of some of the "Five-hundred-acre" tracts. The City Attorney, on this date, presented a report stating that he had procured the dissolution of the injunction against the sale of the city property, and the delay of another; and recommended that suit be brought against the Court of Sessions for the balance of purchase money due on Court House. May 14th, a resolution was submitted by Alderman Melone to appoint a committee to investigate the transactions concerning the sale of town lots for taxes last year (1850), upon which the vote was three for, and two against. The City Attorney reported on the sale of town lots for taxes, and that the property of many persons were sold by the Marshal to D. Devine as the highest bidder; that time had been allowed them, by the sanction of the former Mayor, to pay for the same; that the whole amount had been paid into the Treasury, and though not precisely in accordance with law, the city had suffered no detriment therefrom; and on the 16th, a message was received from the Mayor advising that publicity in all the important cities of the State in regard to the expected sale of city property by the Sheriff should be given.

On July 17th, the deed of certain town lots and public squares from James F. and Margaret Reed to the city was read at a meeting of the Common Council. Mr. Melone stated that the property had been purchased by Mr. Reed at the Sheriff's sale of city property sometime previous, and that for the benefit of the city he was willing to make a return of them to her in trust, for the same amount as he had paid for them at such sale. Mr. Cory offered a resolution accepting of the deed of J. F. Reed and releasing him from an indebtedness of some fifteen hundred dollars, a little more or less, the same being due by him to the Sheriff's sale, the land being now the

property of the city. The resolution was adopted, reconsidered and finally accepted, instructions being given to have the instrument recorded, when the Mayor's approval had been received. This it did not receive, as the following remarks made on the 22d will testify: "I believe that the interests of the city would be more advanced by a sale of the above property, and therefore respectfully withhold my assent from the above resolution." The whole matter was laid on the table for the present, from which it was taken on the 6th August, on the motion of Alderman Cory, when the vote was reconsidered and carried, the Mayor's veto notwithstanding.

Mr. Belden offered an ordinance, October 18th, authorizing the Mayor to deed to J. Aram one hundred and fifteen lots redeeded by James F. Reed to the city, to be devoted to the defraying of expenses arising out of the location of the State Capital at San José; and, on the same date, at the instigation of Alderman Melone, a resolution was adopted calling upon the Mayor to collect of the Sheriff of Santa Clara county the balance due to the city, on account of sale of city lands, which was duly received from the Mayor, accompanying a statement of settlement made November 5, 1851, as follows: Statement of the settlement between John Yontz, Sheriff of Santa Clara county, and Thomas White, Mayor of San José, November 5, 1851:—

J. BELDEN, ARAM, REED, Trustees of P. Quivey,

To F. LIGHTSTON, *et al.*

Amount of sale made March 12, 1851.....	\$ 2,108 28
Amount of sale made May 28, 1851.....	26,060 00
Total	\$28,168 28
Deduct amount of costs.....	\$963 54
Clerk's fees on three injunctions.....	54 00
	<hr/> 1,017 54
	\$27,150 74
Amount due on both executions above referred to.....	\$24,852 87
Balance due from Sheriff.....	\$ 2,297 87
By amount of Reed's deed by which property bought by him reverted to the city.....	1,549 00
	<hr/> \$ 748 87

November 5, 1851.—Received this day of Sheriff the amount of seven hundred and forty-eight dollars, eighty-seven cents, which, as will appear by the attached copy of receipt, I have paid into the City Treasury.

THOMAS WHITE, *Mayor.*

November 28th, Mr. Melone introduced an ordinance authorizing the Mayor to execute a deed of trust to William Daniels of the city's interest in the San

José Land Company, for the benefit of the present creditors of the city, which was adopted; as was also a preamble and resolution introduced by the same gentleman, authorizing, instructing, and requesting the Mayor to execute a deed to James F. Reed, or his agent, as trustee of the city of San José in a certain Land Company in conjunction with Charles White and Isaac Branham, other trustees, for one hundred and eighty acres of land heretofore granted to him by resolution of the Common Council.

It may be remembered that we last dealt with the subject of County Buildings on page 356, when a committee was appointed by the Council to confer with Judge Redman; on the 7th May, that committee reported that they had proposed to receive from the County Judge ten thousand dollars for the State House, the amount expended by him for repairs on it to be comprised in that sum, and that the same was not accepted. They then asked to be discharged. Another, composed of Aldermen Hoppe and Murphy, were appointed in their stead. In the meantime the City Attorney was called on for his opinion in the matter, who, on July 2d, made the following statement, that the building was purchased by the Ayuntamiento of the Pueblo de San José from a company of gentlemen for the sum of thirty-four thousand dollars, for the payment of which it, and other property, was mortgaged, and to which the city became a party by succession to the rights, obligations, etc., of the said pueblo. The city then sold the structure to the county for thirty-four thousand dollars, bearing interest until paid, and received a portion thereof to the extent of seven thousand dollars; subsequently a mechanics' lien and judgment was obtained against the said building, when Judge Redman became the purchaser; this sale vested the title of the edifice in the County Judge, and by placing it out of the power of the city to make a proper title to the county, the sale from the city to the county became null and void, and the former rendered thereby indebted to the county in the amount received from such sale. To attend to the subject Aldermen Cory and Aram were appointed a committee; and on the 22d, the Mayor communicated to the Council the information that a demand for the delivery of the State House had been made by Judge Redman.

On August 27th, the committee mentioned above, after consultation with the Court of Sessions, submitted an Indenture, containing a settlement of the indebtedness between the city and county, and also a deed, conveying to the latter, upon certain conditions, the building known as the State House. The document was referred back to the committee, with instructions to procure the return of Market square, save that portion described within as an ellipse, and originally intended for the site of the Court House. In accordance with these directions these gentlemen, on October 4th, submitted a report and indentures of settlement consistent therewith, as well as the draft of an ordinance which was suggested should be carried into effect, the whole

of which were unanimously adopted. A resolution, introduced by Alderman Belden, on October 15th, and passed, that the Mayor be authorized to release the county of Santa Clara, J. W. Redman, County Judge, and John Yontz, Sheriff, from all liabilities due by them to the city, and to dispose of the building known as the City Hall (State House) to the county; and the last mention made in the year 1851 of this vexed question, was the consultation of lawyers in relation to the demands of the city against the county. This being done, November 20th, Aldermen Cory and Aikenhead, of the committee, submitted the opinion of William T. Wallace and P. O. Minor, that "the covenants contained in both the deeds of October 23, 1850, between the city of San José and the county of Santa Clara are binding upon the city and county; and that for the violation of said covenants by either of said parties the other may sustain an action;" which report was accepted. An ordinance was then introduced by Alderman Cory, which was adopted, authorizing Wallace & Minor to bring suit at law against the county to recover all moneys justly due the city from that source, and affixing their compensation at ten per cent. upon the amount for which judgment should be recorded.

Of the other official acts performed in the year 1851, the following message of Mayor White, dated August 27th, will best elucidate:—

"GENTLEMEN:—The law requires me to report to the Council once in every four months whatever relates to the government, improvement, or finances of the city, and to make such suggestions as to its improvement as may be deemed most fit.

"I am happy to state that the laws of the city have been uniformly and efficiently enforced, and that there is at this time a degree of order and quiet highly gratifying—in fact, but few offenses of a serious character have lately come before the Mayor's Court. I would suggest that as soon as possible an ordinance defining fire-limits and the regulations therein, be passed, and that fire-hooks and ladders be procured. Also, that an ordinance be promulgated prohibiting the introduction of meat into the city for sale after dark; also, an ordinance prohibiting the sale or keeping of unwholesome meat by butchers or grocers.

"The embarrassed state of the city finances has prevented me from doing much which is required for the improvement of the comfortableness, beauty, and cleanliness of the city; as I deem it of absolute necessity that the present heavy debt be discharged before money is expended in improving its appearance. On this account I have been unable to put in execution some improvements which are advisable, and which, under other circumstances, would have been effected.

"Since the commencement of the present administration to this time the total amount of money received into the Treasury of the city for licenses, as

shown by the Marshal's report, is one thousand three hundred and thirty-two dollars and thirty-four cents; and the amount, as paid out by the Treasurer, four hundred and thirty-five dollars, seventy-six cents. In April nine thousand seven hundred and thirty dollars in redeemed scrip was burned by order of the Council; and by the Return of the Treasurer it is apparent that he has on hand at this time ten hundred and twenty-five dollars in redeemed scrip (which I would also recommend to be burned). Total amount of scrip redeemed is ten thousand seven hundred and fifty-five dollars. It is therefore apparent that a little over seven thousand dollars in city scrip is yet in circulation. I think it advisable to have this drawn in as soon as possible.

"In addition to this there is about twenty thousand dollars of city indebtedness, a portion of which is drawing an interest of three per cent. It is necessary to discharge the amount drawing interest as soon as possible. I regret that the Assessor's return is not quite complete, that it may be delivered to you at this time, but it will be sent very soon.

"Owing to the great depreciation of city property there is reason to believe that the amount will not much exceed one million of dollars, the highest rate of per centage (one per cent.) will therefore only yield about ten thousand dollars. The amount coming to the city from licenses for the whole year will not exceed four thousand dollars, making a total of fourteen thousand dollars. So it will be necessary to continue the present rates of licenses and taxes—one per cent."

The proceedings taken during the year 1851 in regard to the State Scrip were: April 3d a resolution was offered and adopted appointing the Mayor and President of the Council to proceed to San Francisco to dispose of the amount of State Warrants belonging to the city, and to apply the proceeds of such sale to the liquidation of the heavy judgment existing against the city. These could not be sold in San Francisco, therefore on his return, April 10th, His Honor convened a special meeting of the Council to take into consideration the disposition of the scrip. Hereupon Mr. Cory introduced a resolution which was adopted, authorizing the Mayor to pay over to Messrs. Aram, Reed and Belden the amount of State Warrants belonging to the city, to be appropriated at the rate of forty dollars on the hundred towards the liquidation of the judgment held by them and others against the city.

At a special meeting held on May 12, 1851, to take into consideration the propriety of tendering some inducement to the Methodist Episcopal Conference, then about to sit in San Francisco, to establish a University in San José, a resolution was offered, tendering the use of Legislative Hall to that body for the purpose, provided such an institution should be established in the valley, which was lost, and another adopted wherein Washington square

was proposed, but the Mayor subsequently pointed out a difficulty in the subjoined terse sentence. "The plot of ground within the city of San José, known as Washington square, having been already sold, the city may not be able to give such a title as may be satisfactory." Of the establishment of the institution we shall speak elsewhere.

In the year 1851 the progress of the city was marked by an era of much building enterprise. Chief among these erected were: a structure on the east side of San Pedro street called at first the Pavilion and afterwards the United States Hotel, at a cost of about fifty thousand dollars; then, at a like expense, A. Chatelle erected a two-story building on Market near El Dorado street, which was known as the French Hotel, and was the head-quarters of the gambling element of the city; then, the building constructed by J. D. Hoppe, the adobes of which were brought from the old Juzgado; next, two one-story buildings constructed for Frank Lightston, on Santa Clara street, opposite where the Auzerais House now rears its elegant façade. The houses of the last two gentlemen were the handiwork of Levi Goodrich, who still wields a facile square and compass. O. S. Crosby built the residence long occupied by Mrs. Samuel J. Hensley; Secretary of State, William Van Voorhies, erected a handsome frame building on Third, near William street; May, Lee and McCune put up the Morgan House on the corner of First and San Fernando streets, it being opened in the month of December by John R. Price; the Bella Union, a saloon, stood on the site of the Auzerais House, and was afterwards rented as a Court House; the restaurant called Star Fonda, kept by a Chilenian, occupied a position on Market street between, El Dorado and Santa Clara; while several structures less pretentious in their appearance were springing up on all sides. Of churches, the Presbyterian denomination had erected a neat little church, painted white with green blinds, on Second street where now their handsome brick edifice stands; the Baptists had a building on Santa Clara street, between Second and Third, where the Opera House now stands—it was burned in 1856; and the Methodists, North, put up a frame church on the south side of Santa Clara street, between First and Second, which had a seating capacity for six hundred, while the Roman Catholic edifice had been a landmark of long standing, where the elegant brick church of St. Joseph is situated. Hand in hand with churches are educational establishments. The San José Academy, taught by the Rev. E. Bannister, was incorporated in this year with a Board of nine trustees. Its first term closed on the 28th November. The College of Notre Dame was established in a wooden building located on the present grounds on Santa Clara street, between San Pedro and Santa Teresa streets; and the University of the Pacific was incorporated, the first graduating class being composed of the Hon. Thomas H. Laine and John W. Owen, who were the first class graduated in a classical course in California.

January 4, 1851, the *San José Daily Argus*, published in the interest of Fremont, who was once more in the field for the United States Senate, was published, but only lived through the Senatorial campaign; and to this year is the honor due of the establishment of the first permanent newspaper in the county. This periodical was entitled the *San José Weekly Visitor*, the initial number being issued June 20, 1851, by Jones, Damon & Emerson. Damon withdrawing at the end of six months, its publication was continued by Emerson, with A. Jones, Jr., as editor. The *Visitor* was first a Whig organ, but changed its colors to the Democracy in the month of October; the office was situated on the west side of First, south of and not far from Santa Clara street. This paper changed its name in August, 1852, to the *Santa Clara Register*, the proprietors being Givens George and J. C. Emerson, with F. B. Murdoch as editor.

The commission of crime had remained unsuppressed, and the prison accommodation was still insecure. Three convicts made their escape on January 30th; on July 18th, Francisco Gutierrez was executed for murder, and on the dawn of September 7th the early risers on that Sabbath morning were greeted by a dead body swinging from the gallows. The unfortunate victim had been hanged during the still hours of the previous night.

1852.—The records for the year 1852 are very meager; the first item in the minute book of the Common Council that may be considered of public interest is the appointment of a committee at the suggestion of Alderman Belden, to inquire into the tenure by which Pedro Sainsevain held a mill-site on the Guadalupe river within the city limits; but the most careful search has failed to bring to light any document throwing further light upon the affair. March 17th, an ordinance was passed prohibiting non-residents from keeping more than twenty head of sheep, cattle, or horses in the pastures within the city limits at one time for a longer period than twenty-four hours.

On the last-mentioned date the following message was received from His Honor the Mayor: "GENTLEMEN:—In accordance with a resolution of the Common Council I called upon Mr. White, a former Alcalde, and demanded of him whatever papers and public documents he might have pertaining to the lands of the Pueblo de San José. The only papers of the kind which he had were papers relating to *suertes* and which are herewith transmitted to Your Honorable Body.

In accordance with another resolution I have employed William E. Lovett, who is well acquainted with the Spanish language, to examine and arrange all the public documents and papers in the city archives. Under my supervision he has made a thorough examination and has well arranged the papers there found as will be shown by the accompanying report. I regret that the search did not exhibit anything which will throw much light

upon the pueblo title or grants made within its limits. Except the "field-notes" of the survey of the "Five-hundred-acre tracts" and the notes of Lyman, and a few deeds and grants; but little has been discovered, and I regret to say that many of the books and papers have been cut and mutilated and no doubt matter of great importance has been removed or destroyed in years gone by, whether through design or carelessness I cannot say—yet it is certain that at some time past important papers have been removed or destroyed leaving now but little of much consequence." Here follows the report of William E. Lovett: "To The Hon. Thomas W. White, Mayor of the City of San José, SIR:—In obedience to your instructions I have diligently examined the archives of this city now in the Mayor's office and after a careful search I am able to make you the following report: The papers are all arranged in alphabetical order and are as follows:—

- A.**—Papers in case of Antonio Valencia for Murder. Old election returns. Papers in the estate of Graves, Bernal, and Jones' horse. Charles White's docket. Papers in case of Walkinshaw *vs.* Forbes. Papers in case of B. K. Thompson. Papers in case of Ord. Official papers of Prefecture for 1842. Census for 1845. Journal of Town Council for 1849. Papers relating to Naglee & Neligh, 1848. Notes and Declarations of Geo. W. Bellamy, October 27, 1847. Alcalde's correspondence, 1840. Official letters of Charles White. Papers relating to a Quicksilver mine of Alvarado. Plan of San José cemetery. Memorial presented by the Secretary of the Interior and Exterior relations, 1829. Alcalde's letters. Petty cases before Alcalde's Courts. Loose and miscellaneous papers (of no value). Official documents of Prefecture for 1841, 1842 and 1843. Alcalde's correspondence of San Franciscita. Correspondence of priests of Santa Clara. Testimony of Duarte and De la Mancha.
- B.**—Alcalde Dimmick's docket. Election of Alcalde, 1843. Miscellaneous papers. British Consul's letters. Papers in case of Territory of California *vs.* Juan Gonzales. Papers in case of Territory of California *vs.* Chabolla. Papers in case of Haun *vs.* Bellamy. Alcalde's letters from Monterey. Part of testimony in case of Chabolla. Letter from Padre Real. Auxillary Alcalde de Santa Clara. Official documents of the Juzgado de Pueblo, 1841-2-3. Letters and loose papers from Governor Borica and Arguello 1777 to 1815. Of money paid and received for the year 1846. Petitions for land. Testimony before the Alcalde. Election 1843. Governor's correspondence, 1843. Papers of Juzgado and census of San Francisco 1841-2-3. Military correspondence, 1841-2-3. Expenses of Juzgado, 1846. Election of Delegates to the meeting of the different pueblos of California.
- C.**—Loose papers 1841. Complaints before Alcaldes 1841-2-3. Miscellaneous papers in the case of Robilas *vs.* Campbell. Papers in the Court of First Instance. Printed copy of acts of first Legislature.

- D.**—Thirteen packages of Alcalde's correspondence from 1795–1827.
E.—Eleven packages of Alcalde's correspondence from 1828–1833.
F.—Fifteen packages of Alcalde's correspondence from 1834–1841.
G.—Five packages of Alcalde's correspondence from, 1842–1846, and one package of Alcalde's old docket.
H.—Papers relating to the Pueblo Lands consisting of the field-notes of J. D. Hutton, etc. Grants and Deeds. Notes of Lyman.

I would also state that there are but few or no papers in the archives for the years 1844, 1845, 1846, except such as are mutilated, torn, and cut."

The reader is informed that we have examined most of the documents mentioned above, which, since Mr. Lovett's report, have been a dozen times disarranged and rearranged, and are being now most carefully filed, and they have no possible interest to any one save the bibliomaniac.

At the election held on April 14, 1852, for the election of a municipality, the following was the result: Mayor, Thomas W. White; Common Council, Ben Cory, Peter O. Minor, Levi Goodrich, John C. Emerson, John M. Williams, John H. Watson, M. W. Packard; Assessor, Marcus Williams; Treasurer, A. J. Yates; City Attorney, Freeman S. McKinney; Marshal, George Hale; Clerk, Elliott P. Reed.

The financial condition of the city at this period may be gathered from the annexed report of the City Treasurer dated April 22, 1852:—

Total Receipts for year ending April 16, 1852.....	\$15,698 52
Total Paid out for year ending April 16, 1852.....	15,687 97
Leaving a balance on hand of.....	\$ 10 55
Add Balance on hand April 16, 1851.....	57 00
The Balance in the Treasury April 16, 1852.....	\$ 67 55

At this date there were outstanding in Scrip.....\$ 4,300 00

In the month of May of this year the city of San José sued the county for the sum of thirty-four thousand dollars, with interest at the rate of four and one-half per cent. per month since 1850, the cause, as we have already seen, being the purchase of the building known as the State House. A county not being a corporation at common law, and, there being no statute in existence making Santa Clara county a corporation, a demurrer was filed, which was sustained by the Court, and the case dismissed. On July 12th the Mayor, at a meeting of the Council, made some remarks explanatory of these conflicting claims with regard to the property of the old Legislative Hall, and the building attached, and requested authority from the Council to try and settle the difficulty without again having recourse to legal proceedings. To cover the whole matter Alderman Minor introduced

the following resolution which was passed: "*Resolved*, by the Mayor and Common Council of the city of San José as follows: That Thomas White, the Mayor of the city, be, and he is hereby requested to confer with the Board of Supervisors of Santa Clara county, in relation to the existing claim of this city against said county, and any proposition that may be agreed upon between them, the said Mayor to report to this Council for approval, or disapproval, at the next meeting, or sooner, if necessary, and when called by the Mayor.

On October 18th the following proceedings were had in regard to assessment. Mr. Williams, the City Assessor, explained to the Council the difficulties under which he labored in making out the assessment list, and stated that he was willing to attend with a committee of the Council and amend the assessment book, or draw up a new one, but that he was unwilling to raise the assessment. Any course, however, the Board of Equalization might adopt he would be willing to comply with.

The Mayor, being present, stated that he had examined the Assessor's books and found that property was assessed far too low, and a great quantity not assessed at all. One difficulty in his mind was, as to who, under the late law, would constitute the Board of Equalization, and, secondly, have that Board the power to raise the taxes in the aggregate? The Mayor then proceeded to read the City Charter, to show that no provision had been made for a Board of Equalization.

Alderman Minor then read the State law with regard to the duties of the Assessor, and thought that that officer had full power to assess property according to his own valuation, notwithstanding the oath of the person assessed, and introduced a resolution to that effect, requesting also the Assessor to act in accordance with this opinion, and that he be required to make out a correct supplemental assessment of the property of the city, to include the names of all persons, and a description of all property liable to taxation, and report at the earliest practicable moment.

On October 6th an ordinance was passed fixing the rate of taxation, or assessment of real and personal property for city purposes at one per cent. upon the valuation for the current year.

During the year 1852 crime was still in the ascendant, not only throughout the State, but in San José as well. On the 30th January Theodore Basquez was executed for stealing a horse, the law at that time providing for the punishment of grand larceny by imprisonment or death, at the discretion of the jury. Under this law, which was repealed April 19, 1856, Ramon Romero was executed on November 26th of the same year; while, on the 17th December, Gaudalupe, an Indian, was hanged for murder. Charles H. Smith was murdered by Pedro Montemayor on the 4th of March, and during the balance of the year there would appear to have been a

carnival of blood. In May, Priciliano Peres was murdered; an Indian was murdered in the city on August 23d; on September 26th four men were stabbed, some of whom died; on the day after James Blair and an Indian were found dead; and on the 28th an unknown American was murdered about two miles north-east from the town, near the residence of John H. M. Townsend. With this array of violence before us, still it is said that the organization of a Vigilance Committee had a tendency to lessen crime!

The following information is extracted from the *San José Weekly Visitor*, dated March 5, 1852. It was published by J. C. Emerson and edited by A. Jones, Jr. We learn from its columns that Elliott Reed and E. A. Kendall were, at that time, partners in the express business "between San José and San Francisco, by way of the favorite steamer *Boston*." Hall & Crandal were the proprietors of a line of stages to San Francisco. They announce a reduction of the fare to ten dollars. John Yontz was Sheriff of the county, and William R. Phipps, Constable of San José township. Among the business cards were such law firms as Burnett, Wallace & Ryland, Minor & Campbell, Stafford & Moore, Williams & Yoell, Yates & McKinney, etc. The only doctor's card is that of "Dr. Ben Cory, office east side of Market square." C. P. Hester was District Judge, John M. Murphy was County Treasurer, H. C. Melone, Clerk, and R. B. Buckner, Deputy Clerk. Charles White was the Mayor and Police Judge of San José. The paper contains an editorial account of the murder of Deputy Marshal Charles H. Smith, by a Mexican named Montemayor. The latter was in charge of the Marshal. He had been fined, by Mayor White, for striking a woman, and was going after the money to pay the fine. When "in the vicinity of the acequia," he suddenly drew a knife and plunged it into the officer's heart. The Mexican effected his escape in the willows "near the Guadalupe"—probably in the direction of Autumn street.

On August 19th, the *San Jose Weekly Visitor* adopted the name of the *Santa Clara Register*, and was published on the upper floor of the Bella Union; and, on December 17th, an ordinance was passed requiring property holders to lay sidewalks, ten feet wide, in front of their premises. On the night of August 26th, the residence of Samuel C. Young, on Third street, and one belonging to Chabolla, were destroyed by fire, it being popularly supposed that the first was occasioned by rats igniting matches.

The San José Academy was under the superintendence of J. M. Kimberlin during this year; in November a Civil and Military School was established under Col. Charles A. Seefeld, Professor Frederic Mooshake, and Hipolito Adler; the latter as Administrator; while on October 17th, the brick church of the Methodist Body, at the corner of Second and San Fernando streets, was dedicated.

Cholera made its last appearance in the city and vicinity, in this year, and though many of the native population died, but few foreigners succumbed.

1853.—At a special meeting of the Common Council, assembled January 28th, for the purpose of bringing to a conclusion the matter of the claim of the city against the county, the following communication of the Board of Supervisors was read: "In the matter of the petition of Thomas White, Mayor of the city of San José:—The committee appointed to take into consideration the above petition, and it appearing, to the satisfaction of the Board, that there is some amount justly due the city of San José for the property bought of her, by J. W. Redman, County Judge. It is, therefore, ordered by the Board, that the city of San José be allowed the sum of ten thousand dollars, upon the condition that the city of San José execute a full release of claims and demands against the county of Santa Clara."

Alderman Minor then introduced an ordinance, which was adopted, authorizing the Mayor, on the part of the city, to accept the above proposition, and to make, execute and acknowledge a full release of the claim against the county; and also authorizing him to accept warrants on the county to the amount of ten thousand dollars, in such sums as he may deem best. At length the solution of the difficulty had been attained. On the 15th July, the accompanying communication was received from the Mayor: "In the final settlement of the claim of the city against the county, I received ten thousand dollars in County Warrants which I have paid into the City Treasury, as will be shown by the accompanying receipt of Thomas L. Vermeule, City Treasurer: 'Received, San José, July 13, 1853, of Mayor Thomas White, the sum of ten thousand dollars in Santa Clara County Warrants, to the credit of the Treasury of the city of San José. Thomas L. Vermeule, City Treasurer.'"

March 10th, the Committee on Ordinances, to whom was referred that concerning the keeping open of certain streets, reported that in their opinion, First street being now open towards Alviso, and "the oblique street" open towards Stockton, there are no other outlets necessary on that side of the city, and without abandoning or yielding the right of the city to open and keep open all her streets, they recommend, that for the present, they may be permitted to be fenced up, keeping open First street and "the oblique street." The suggestion was accepted and an ordinance passed in accordance therewith.

The officers elected on April 14, 1853, were: Mayor, Thomas W. White; Common Council, Ben Cory, John C. Emerson, Levi Goodrich, William M. Stafford, John M. Murphy, Henry Brownshield, William Daniels; Treasurer, Thomas L. Vermeule; Marshal, George Hale; City Attorney, F. S. McKinney; Assessor, E. P. Reed, who was also appointed Clerk of Council.

The ordinance committee instructed to examine the Revenue Laws, on the 29th April, reported that, under the existing ordinance, they found many persons, pursuing various avocations of the most lucrative character, entirely

exempt from the payment of any license tax, and that, under the existing embarrassment of the city (the debt, on the 25th April, 1853, was eighteen thousand four hundred and two dollars and nine cents), with her depreciated paper, and her streets requiring heavy repairs, they would suggest the propriety and absolute necessity of an increase of the license law, and that none should be exempt from its operation. In pursuance of these remarks the necessary emendations in the ordinance were made and carried into effect.

On the 29th April, Fire Wards and Wardens were created by an ordinance introduced by Alderman Brownshield, the city being divided into wards, numbering from one to four, with the following Wardens: No. 1, M. W. Packard; No. 2, Alvin C. Campbell; No. 3, A. S. Woodford; No. 4, Peter Davidson; while, to render the organization more efficient, an appropriation, the sum of two thousand dollars was made for the purchase of a fire-engine, with hooks and ladders, the President of the Council being authorized to draw orders and warrants in such sums as he should deem advisable, and pay the same over to the committee of citizens that should be selected by the town.

The time had now come, it was felt, when a public school should be maintained in the city, therefore, on May 24, 1853, Henry C. Skinner, Alexander J. Spencer, and A. J. Yates, School Commissioners, addressed the petition now quoted, to the Mayor and Common Council: "The undersigned School Commissioners for the township of San José, the county of Santa Clara, respectfully represent that in the discharge of their duties of School Commissioners, they, and their predecessors in office, have established and maintained a public school in this place, for a period of nearly one quarter, the same having commenced on the 14th day of March last, under the superintendence and instruction of Horace Richardson, a lawfully licensed teacher, and that a school of about sixty pupils has been collected, who are now receiving instruction in said school.

"Your memorialists further represent that the time for which said teacher was employed, and the room engaged, is about to expire on the 14th day of June next, and that no funds have hitherto been provided for the further support of said school, and your memorialists believe it impracticable, at the present time, to ask the supervisors of the county, to assess a tax for school purposes, on the taxable inhabitants of this county, because the county is already deeply involved in debt; and has, during the past year, incurred great losses by the robbery of its Treasury, and the destruction of its Court House.

"Your memorialists further represent that, by an Act establishing a system of common schools for the State of California, passed May 15, 1852, there is a provision made, in Article V., for the establishment and maintenance of common schools in cities, and your memorialists would respectfully represent the expediency of an immediate organization on the part of Your Hon-

orable Body, under the provisions of said law, for the purpose of maintaining and supporting said school, and of providing a suitable building for that purpose.

"Your memorialists further represent that the immediate and speedy action of Your Honorable Body is requested in the premises, as it is necessary to continue said school, in order to secure the share of the State school fund, which is conditionally appropriated for that purpose."

We will now turn, for a moment, to the monetary affairs of San José. In reference to certain claims against the city, made by Jackson Lewis, a special committee was appointed to ascertain upon what terms he would withdraw certain suits commenced against the city, and take County Warrants in payment of all his demands. To this, on May 31st, Mr. Lewis made the following proposition: That for the debt and interest, amounting to nearly six thousand dollars, which he thought was justly due to him, he would be willing to take seven thousand, five hundred dollars in County Warrants, the city to give bonds for the faithful payment of that amount to him by the county or, should the county refuse to pay, then the city to pay the six thousand dollars, with interest, at the rate of ten per cent. per annum, until paid, and the city to bear the costs of suit. The report of the committee was accepted, but a majority of the Council were opposed to a settlement on such terms; and after considerable discussion, it was resolved: "That the Mayor of the city is hereby authorized to use all legal steps to defend the suits now pending against the city by Jackson Lewis, or others." On May 31st, a meeting of the Council was specially convened to endeavor to come to some amicable arrangement with Mr. Lewis. Alderman Brownshield stated that he (Lewis) had proposed to withdraw the suits at his own cost, if the Council would allow him the interest on those bills which a former Council had refused to pay. This proposition being corroborated by Mr. Lewis himself, Alderman Murphy then introduced a resolution, which, on motion of Alderman Brownshield, was passed, authorizing the Clerk to draw warrants in favor of Jackson Lewis, to the amount of two thousand, two hundred and seventy-eight dollars and eighty-five cents, as interest in full on certain warrants, provided said Lewis withdraw all suits commenced by him against the city.

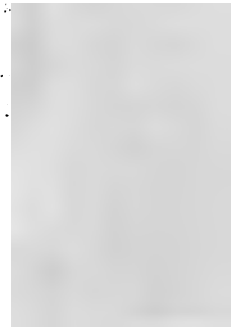
A select committee appointed to ascertain upon what terms the County Warrants now in the City Treasury could be disposed of to pay off the outstanding debts of the city, reported, June 10th, that, from what inquiries had been made, they thought no loan could be effected; under existing circumstances, therefore, they advised that the warrants be sold.

Alderman Stafford opposed the measure as being injurious to the interests of the city.

The report was then laid over, and Alderman Stafford introduced an ordi-



Jonathan Parr



nance allowing all holders of city paper to exchange the same for County Warrants, at the rate of eighty-five cents to the dollar, and instructed the Clerk to make the exchange.

An attempt was next made to regulate the disbursements from the City Treasury, and an ordinance was passed to that effect, but it received the following veto from the Mayor: "First, The city of San José has no authority under law to prefer one creditor to another. Second, the ordinance does not respect the age of the debt, but only refers to the evidence of the debt, by which I mean that when two debts were contracted at the same time (neither of which are paid), that the one which has subsequently been subdivided must be postponed, just as though its date was the time of the subdivision into warrants, and not the time when the service was rendered, and the city, by its Treasury, had accepted and audited the account. Third, I believe that this ordinance will tend to depreciate, very considerably, all scrip of recent date, and it will therefore be impossible, except at extravagant prices, to make the slightest improvements in the city, or to continue, at present rates, the police force." The vote was then reconsidered, and, notwithstanding the objections of His Honor, it was carried, there voting in the affirmative, Aldermen Stafford, Goodrich, and Daniels; in the negative, Aldermen Wilson and Daniels.

Continuing the subject of pueblo, or what may now be termed city lands, we find that on June 10, 1853, it was resolved by the Common Council, that the deed of trust, whereby the Mayor and Common Council conveyed to William Daniels, as trustee, the property belonging to the city, said deed being dated November 29, 1851, should be cancelled. On the 13th the following petition in reference to school lots was received from the Rev. Eli Corwin: "The undersigned would respectfully represent that: WHEREAS, common rumor declares that certain vacant and uninclosed lots of land have been by law reserved for educational purposes: which lots are not subject to taxation by the city government, and the title to which cannot be legally transferred, nor in any manner permanently alienated from the specific object of such reservation: and, whereas, the tax list in the hands of the City Assessor will show that certain lots commonly supposed to belong to said reserve are given in for taxation as being the property of private individuals; it may be important for the guardians of the city to inquire whether any lands have been so reserved for educational purposes, and if so how many lots and where situated: also to inquire whether said lots have been illegally sold for taxes, and if so by whose authority, to whom, and on what terms. For the full investigation of this petition, that a committee be appointed to report at an early date. And the undersigned would further pray that if any illegal transfer of reserved school lots has been made by the city, their redemption may be secured without delay." This petition

was mainly the cause of a committee being appointed of which Alderman Stafford was chairman to examine into the tenure of city property. On July 8th they made the subjoined elaborate report:—

“The committee to whom the resolution of the Council was referred instructing them ‘to report upon the title of the city to the lot of ground now used and occupied as a cemetery, and also the best means to prevent encroachments thereon,’ respectfully submit the following:

“They have attended to the duty assigned them and carefully examined the records of the old Ayuntamiento and such other papers and documents as they could obtain that could throw any light upon the subject. They find upon the records of the Ayuntamiento for the year 1847, that John Burton, acting Alcalde of the pueblo, deeming it advisable for the people, then residing in the pueblo, to take some steps to protect the interests of the pueblo, recommended that a committee of twelve men should be selected to report rules and regulations for the future guidance and protection of the interests of the pueblo and its citizens in and to the lands claimed by the pueblo. On February 15, 1847, a committee of twelve was selected who reported on June 15, 1847, recommending that the pueblo be laid off into lots with three public squares, the blocks to be two hundred varas by one hundred varas, and that each person should be entitled to four lots of fifty varas each, by paying, for the use and benefit of the pueblo, twelve dollars and fifty cents exclusive of other fees. They further recommended that a survey be had of the pueblo or public domain into lots of five hundred acres each, or two thousand varas square, to the number of ninety, the then number of heads of families supposed to be within the limits of the pueblo, and that each head of a family should be entitled to one of those lots by paying to the pueblo the annual sum of *three* dollars, with the condition of planting fruit and other trees at the corner of their respective lots. These lots were selected by the parties entitled thereto by drawing for the chances of selection, and the Alcalde made a conveyance to the respective claimants.

“The records show that the Alcalde assembled the good people of the pueblo to act upon the report of the Committee of Twelve; that they adopted and accepted the report with the rules and regulations suggested by the committee for their future laws and regulations for the disposition of pueblo property.

“The rules and regulations adopted for the pueblo, your committee deem of no validity or binding force upon the city; if she has, or had, any rights to any of the property disposed of by the Alcalde. Your committee are aware that many persons have been deluded and misled relative to the authority and power conferred upon Alcaldes to dispose of pueblo or public domain and much anxiety has been expressed and evinced by the good citizens for the city’s rights to the rich domain supposed to belong and now claimed by her.

" In the distribution of the property by the Alcalde in accordance with the rules and regulations, Lot No. 3, south of the 'Five-hundred-acre lots' and the following: Lots 1 and 2, Block 3, Range 3, south of base line; Lots 1 and 2, Block 4, Range 5, south of base line; Lots 3 and 4, Block 1, Range 4, north of base line; Lots 1 and 2, Block 2, Range 7, north of base line; and Lots 7 and 8, Block 5, Range 5, south of base line, each for fifty varas, in the city, were reserved, set apart and appropriated for primary schools, by the Alcalde. At a subsequent period to the reservation made, the Alcalde declares the reservation to the lots in the city to be null, alleging that other lots had been selected in lieu thereof. Your committee have patiently and carefully examined the records of the Ayuntamiento to ascertain if there were other lots set apart or reserved, but can find no trace whatever or mention made of the subject again by that Honorable and Ancient Body. That Lot No. 3 of the 'Five-hundred-acre lots' is still looked upon as the property of the city, being the lot now used as a cemetery and is school property.

" It is questionable whether the Alcalde had the right to annul the vested right in those lots for the use of a school fund without substituting other property of equal value by consent of those interested. Were he clad with such unlimited authority, it would be an easy matter for one that might be inclined to be corrupt, to annul and make void all other grants or reservations made to other individuals. The right to the school lots, once acknowledged, and they being set apart, if valid at all, became so the moment the selection was made and recorded, and divested the city of her right, and placed them beyond the control of the Alcalde or City Fathers, otherwise to dispose or manage them for that particular object.

" The lots set apart for the use of schools have been sold for taxes, and are now claimed by divers persons. It matters not, in the opinion of your committee, who the purchasers are, and by what authority the lots were sold, they can have no title to them, if the doctrine is correct that the city was once divested, and they were reserved for schools or a specific purpose. The law of the State prohibits any property reserved for schools from taxation. Neither the State, county, nor city had a right to assess them, nor has any one the authority to dispose of them save the Common Council of the city, and they only for the purposes for which they were reserved or granted. Any sale, therefore, by any one, or from any source, other than above-mentioned, would be of no avail, and null and void.

" As to tax sales, your committee are aware what they are generally, and we would venture the assertion, in this State they never could stand the test of scrutiny or prevail in a Court of Justice, for the reasons none are compelled with to make them of sufficient validity to divest one of his property. The laws relative to the sale of property under tax sales must be strictly

complied with, and all the formalities and requisites of the law fully carried out. Such has never been done in this City, County, or State. Upon this point we have no reason to fear our right or title to those lots for primary schools. The authority and power conferred upon Alcaldes to dispose of pueblo or public domain is limited and restricted to small quantities, and all acts of his, whether sanctioned by the people or not, or whether done by them and executed and carried into effect by him, dividing the pueblo or public domain, and assuming ownership over it, are null and void; they had no authority, either under Mexican or American law, and your committee are at a loss to know what law, other than that recognized and educed from the fable of the lion with the beasts of the field, furnished the precedent.

"The acts and doings of the Alcalde and the Committee of Twelve, after the American flag had been unfurled and the country in the possession of our officers and citizens, were illegal and void, even had they the sanction of Mexican usage, custom or law, which your committee deny. The moment the American flag was thrown to the breeze and the country taken possession of, all Mexican laws ceased to prevail, save such as were necessary for the police and preservation of the rights of persons and property. At the time this division of the pueblo was going on, or being consummated, Governor Mason, at Monterey, in January, 1848, wrote to the Alcalde at this place declaring and proclaiming all such proceedings illegal. His letter is now on file among the archives. The city, in the opinion of your committee, must base her title to those lots set apart and reserved for school purposes, upon the title she pretends to assert as her right to the pueblo grant from the King of Spain. If that grant is valid, her title to that property is good; otherwise, if her supposed grant should be refused by the Government of the United States, unless she asserts her rights to the lots in the limits of the city under the Act of Congress, 1851. Under that Act she could assert no valid claim, save that of occupancy to *Lot No. 3, south of the 'Five-hundred-acre lots.'* The Supreme Court of this State, and every other court, has declared that an Alcalde, since the acquisition of the country by our Government, had no authority to grant, sell, or dispose of real property, not even lots within the limits of a City, Town, or Pueblo.

"All these proceedings of the Alcalde and the Committee of Twelve happened in 1847, some twelve months after we acquired, or took, possession of California. The rights the pueblo had under the Spanish or Mexican Government she still possesses, notwithstanding the rules, regulations, surveys, and divisions of the pueblo property by the people. They remain unaffected, and no acts of any one could add thereto or detract therefrom.

"Notwithstanding the cloudy mist and uncertainty which o'erhangs the title of the pueblo to the rich domain that she claims, your committee would suggest the propriety of redeeming the lots specified as school property, if

they are of much value; if not, they would suggest the propriety of silence and patiently awaiting the result of a confirmation of the title before the Government of the United States. So far as relates to the lot now occupied and used as a cemetery, we deem it the duty we owe to the dead, and the respect and pride we cherish for our city, to inclose it with a substantial inclosure, at some future time, when we are better able to incur the responsibility it imposes. Those who have friends or relatives buried there doubtless will have private inclosures around the graves sufficient to protect them from intrusion from any source; the city can, and will, do her part in due season; at this time your committee deem it advisable to postpone this matter till a future time that it may be done properly."

Mention has been made several times in the foregoing report of the "Five-hundred-acre lots;" let us here record that peculiar document:—

"June 29, 1847. The Junta being called together for the purpose of taking into consideration petitions of several citizens for the obtainment of portions of the Pueblo Lands:—

"We, the Junta, do decree that all the citizens of this pueblo who are heads of families shall each be entitled to two thousand varas square, to wit, two thousand varas square to each family, the same to be loaned to them and their heirs forever.

"We also further ordain and decree, that each tract of two thousand varas square shall pay to the said pueblo an annual tax of three dollars per annum, to be paid on the first day of January of each year.

"And we further ordain, that all the lands left after the present citizens of this pueblo shall have received their portions as aforesaid, shall be apportioned among those who may come in afterwards and become citizens of said pueblo in the order in which they shall become such.

"And we further ordain that the acting Alcalde shall give notice to the people of this pueblo to assemble at an early day to give their consent to these ordinances.

"We further ordain, that the said Alcalde shall choose from the aforesaid number of lots one of them of two thousand varas square for the use of a Public Pueblo School, and said tract shall be reserved for said purpose forever. But in said school no religious teaching shall ever be allowed, but the teaching shall be confined solely to literature, the arts and sciences.

"We further ordain, that those persons who shall receive their titles from the Alcalde after the passing of these regulations, and in accordance with them, use said land for the raising of cattle and for general agricultural purposes.

"We further ordain, that no person shall be entitled to any advantages from these ordinances unless he or his family shall be an actual permanent settler or resident of this pueblo.

"We further ordain, that if the said lands of this pueblo shall have been surveyed, there shall not be sufficient quantity found belonging to said pueblo to allow each head of a family the quantity heretofore specified, then in that case said land shall be divided into equal parts according to the number of those who wish to obtain them at the date hereof, in accordance with the foregoing decrees and in that mode so apportioned to the citizens, and the aforementioned taxes shall be in proportion to the quantity given at the rate of three dollars for two thousand varas square.

"CHARLES WHITE,	WM. FISHER,
"JULIAN HANKS,	ISAAC BRANHAM,
"JOHN BURTON,	SALV'R M. CASTRO,
"JAMES W. WEEKES,	FELIZ BUELNA,
"ANTONIO SUÑOL,	DOLORES PACHECO."

December 2d a resolution was adopted, authorizing the Chairman to select two persons from the Protestant denominations, two from the Roman Catholic, and two from the Jewish Faith, who, together with the County Surveyor, should lay off the burial grounds—a portion to each faith, as also one for a Potter's Field. On the 9th a petition was read from R. Jordan, praying the Council to grant him the use of Washington square for ninety-nine years. On the same day permission was granted to property-holders to open an old *acequia* running across Market street, near the house of Captain Hanks, and on the 16th the following petition was received: "Your petitioner would most respectfully represent to Your Honorable Body, that for some time past she has been paying into the city treasury the enormous sum of five hundred dollars per month for license to gamble in this city, and that she has good reason to believe that games which are not *banking* games, such as poker, euchre, and the Spanish game of *Moliya Brisca*, and others of a similar nature, are being constantly played in this city, in a secretive manner, so as to elude the vigilance of the officers, and that these games, although they have no visible bank, yet money (at times to a large amount) is continually changing hands, and that the profits accruing from the eatables and drinkables consumed by the persons directly interested in such games goes to the benefit of the owner, or owners, of the houses where such games are played, and that the aforesaid owner or owners pay no gambling license or other consideration into the city treasury whatever for this class of profit which they are continually receiving. Therefore, your petitioner prays that she may receive that protection which is guaranteed to her by the ordinance on gambling, and in such manner that when an officer does arrest any person found gambling without a license, that the ordinance be strictly enforced, and that they be made to pay the penalty attached thereto immediately without any quibble of a Higher Law interfering, for your petitioner takes it for granted that if a Higher Law does interfere, it does most undoubtedly

interfere on both sides of the question, and that if Your Honorable Body had the power to exact that amount of license it also must have power to give protection to those who pay, by attaching penalties to those who break the law in the manner aforesaid."

December 2, 1853, a petition from Davis Devine, President of the Pacific and Atlantic Railroad Company, and E. O. Crosby, Chairman of the Executive Committee of the Board of Directors, praying "that the company is duly incorporated under the laws of the State of California. That said company propose to begin the construction of that portion of the road between the city of San José and the city of San Francisco early in the ensuing Spring provided the right of way can be obtained on satisfactory terms. That they desire to locate a depot in the city on that piece of ground known as St. James square, provided the city authorities would grant them the use of the same for that purpose. The great advantages which will accrue to your city by the early completion of the road from San Francisco to this point are so obvious that the undersigned deem it unnecessary to recite them here. The undersigned would, however, remark that the views of the Directors in reference to the early commencement of the work will be greatly promoted if Your Honorable Body would donate to the company the use of said square so long as it may be used for the purpose above set forth."

The first subject of general interest which occurred in 1853, was the robbery of the County Treasury in January, when under the charge of William Aikenhead. Notice of this circumstance has been fully put before the reader in our chapter on the Legislative History of the County.

The year is also notable for one of the most disastrous accidents that has ever occurred on the coast of California. On April 9, 1853, the steamer *Jenny Lind* left San Francisco on a pleasure excursion to San José. On the 10th she started from the embarcadero on her return trip, having on board about one hundred and fifty passengers, among whom were a number of ladies and children. At ten minutes past twelve—the boat being then about four miles from the west shore of the bay—a violent tremor was felt throughout the craft, and in a second after, a tremendous report was heard, and the whole vessel was enveloped in a dense cloud of scalding steam. The dead in this catastrophe amounted to forty; the wounded to about twenty. Of the former were Bernard Murphy, Jr., Charles White, of San José; and among the later Jacob D. Hoppe, the last named of whom died of his injuries. It is only necessary in this place to say that San José could little afford to lose such able and prominent citizens; when in her infancy she could little spare them.

The month of February saw the Bascom Institute opened under the conduct of the Pacific Conference, with Mrs. R. C. Hammond as Principal, and was for a long time the only Protestant seminary of the kind in the valley.

In March a common school was organized, with the Rev. Horace Richardson at its head, and in June another institution of learning was opened in the Baptist church by Orrin Hinds, who, in August, was transferred as Assistant to Principal Samuel Lea, in the superintendence of the San José Academy. In this year, too, the Sisters of Notre Dame commenced the erection of the brick college, a description of which will be found further on.

On March 29th the State House, of which we have heard so much, became a prey to the devouring element, when the adobe building of F. Lightston, on Lightston alley, was transformed into a temporary Court House, the Hall of Justice being afterwards removed to the "What Cheer House," on the corner of San Fernando and Second.

In this year were laid out by James R. Lowe, Sr., the elegant grounds now owned by Mrs. Samuel J. Hensley, which were then purchased by her husband. This beautiful private park contains twenty-five acres. Here may be seen some beautiful specimens of the magnolia tree, which blossoms throughout the Summer, together with many rare trees and plants from the tropics, all thriving luxuriantly in the open air. The grounds, which are kept with scrupulous neatness, are among the most noted and attractive features of San José.

In the month of October, 1853, the two cities of San José and San Francisco were connected by telegraph, while about the same time, owing to a belief that railroad communication would soon be opened between these points, the price of real estate in the former town advanced in a great degree. By the first of December nearly all the stock in the Railway Company was subscribed for; Elliott Reed disposed of his cottage, situated just north of the Court House, for five thousand dollars; Dr. Devigne sold, for eight thousand dollars, to Bonacino & Protolozzo the house that had been erected by him on Santa Clara street; and a lot belonging to Frank Lightston, at the south-west corner of First and Santa Clara streets, where the First National Gold Bank now is, was bought for three thousand five hundred dollars. Not long afterwards these properties were worth a great deal more.

In this year F. B. Murdoch obtained control of the *Santa Clara Register*, and changed its name to the *San José Telegraph*. As such its publication was continued until 1860, when it went into the hands of W. A. Slocum, and in the following year was merged into the *San José Weekly Mercury*.

The *Telegraph*, of November 10, 1853, whose back numbers have been courteously placed at our disposal by Mr. Murdoch, its then editor and publisher, informs us, in that year eleven hundred and fifty thousand burnt bricks of excellent quality had been used during the season in building homes in San José, nine thousand of these being manufactured in the city, and the balance coming from the kilns of Santa Clara. These were used

principally in the construction of some of the one hundred houses which were raised in that year, among them being the Mariposa Store of Auzerais Brothers, on Market street; the brick dwelling-house near the corner of Fifth and St. John streets; and the building at the south-east corner of Santa Clara street and Pacheco alley.

1854.—The first subject of interest to occur in the year 1854, was the introduction, on January 6th, of a resolution that the interest of the city in the San José Land Company should be sold at auction, after thirty days' public notice; but the matter was afterwards postponed indefinitely, it not meeting with the approbation of the Council.

On January 13th, a petition was received from George Hale, S. Waterman and J. Braun, a committee on the part of the San José Hook and Ladder Company, No. 1, praying the Council to take such action as should be best calculated to perfect their arrangements; as also to appropriate such sums of money, as should be necessary for the purchase of apparatus, etc. Accompanying the memorial, were the Constitution and By-Laws of the organization. The question was referred to Aldermen Wilson and Emerson, who were directed to confer with the Foreman, and draw up an ordinance to cover the grounds embraced in the prayer. The committee were further ordered to secure the lease of a lot whereon to erect a suitable building for the accommodation of the company, and to ascertain what the probable cost of such would be. On the 3d February, they reported that Frank Lightston had generously tendered a piece of land, to the Mayor and Common Council for ten years, at the nominal rent of twenty-five cents per annum, provided the Council would erect a suitable building within twelve months. In the meantime the company was quartered in the room adjoining the Mayor's office. On June 26th, the following Fire Wardens were appointed: Ward, No. 1, J. H. Scull; Ward, No. 2, Dr. J. C. Spencer; Ward, No. 3, F. G. Appleton; Ward, No. 4, Peter Davidson. On this date Aldermen Wilson, Houghton, and Bodfish were chosen a committee to ascertain if a suitable fire engine could be purchased in San Francisco, who, July 17th, reported that one could be so obtained for eighteen hundred dollars cash; that hose could be procured at one dollar and fifty cents per foot; and that the following cisterns would be required: one in the square of Market and Santa Clara streets; one in the square of Santa Clara and First streets; one in front of the Mariposa Store; and one in front of Jones' store (where the *Eintract* is now located). To defray these expenses, a sum of thirteen hundred and fifty-five dollars was collected, and the necessary balance raised on City Warrants, the total cost being two thousand five hundred and forty-six dollars, twenty-five cents. On July 24, 1854, Empire Engine Company, No. 1, was organized, and admitted into the Fire Department.

Alderman Wilson, January 20th, gave notice that in the year 1848, a

number of lots in the city had been set apart and reserved for school purposes, he therefore moved that a committee of two be appointed to investigate the subject. This was done, and, on the 27th, they reported that Charles White, Alcalde, in order to comply with the voice of the people, as manifested in a convention assembled June 30, 1847, did select fifty-two lots of fifty varas square each, for the benefit of public schools.

March 3d, Alderman Stafford moved that a select committee, consisting of Aldermen Murphy and Daniels, be appointed to confer with the Board of Township School Commissioners, and the Board of Trustees elected by the citizens of the city at a meeting held, February 28th, for the purpose of ascertaining the cost of a suitable building for the uses of common schools. The resolution was adopted, and the matter further discussed on March 10th, when the plan of a house, presented by Rev. Eli Corwin, meeting with the views of the Council, was accepted, and a determination arrived at to request Levi Goodrich to make an estimate of its probable cost. Mr. Goodrich laid the expense at five thousand dollars. A committee was now chosen to consult with the Commissioners of Common Schools, the Council in the meantime unanimously passing an ordinance, appropriating the sum of thirty-five hundred dollars towards the construction of the building, a measure, however, which was repealed the 24th March.

On April 6th, just before the election, the city debt amounted to three thousand four hundred and eight dollars. Three years previously it had been sixty thousand dollars.

The result of the election held, April 10, 1854, was as follows: Mayor, Thomas W. White; Common Council, John M. Murphy, President, John Wilson, S. O. Houghton, J. McGill, Charles Moody, Frank Lightston, George H. Bodfish; Marshal, George Hale; Attorney, A. C. Campbell; Treasurer, T. L. Vermeule; Assessor and Clerk, E. P. Reed. On the 5th December, O. H. Allen was elected to the Civic Chair, in place of His Honor Thomas W. White, who had ceased to be a resident of the State.

A committee that had been appointed to ascertain the feasibility of conducting the water of the Acequia through pipes into cisterns placed in different parts of the city, reported, July 3d, the matter entirely practicable, and recommended the construction of such receptacles, with the necessary pipes, of redwood. On the 16th October, Joseph Aram and William N. Stafford were elected to the Council, *vice* Aldermen Bodfish and Murphy, resigned; and, November 18th, an ordinance authorizing the issue of City Bonds, bearing interest two and a half per cent. was adopted.

During the year 1854, the subject of a City Hall attracted considerable attention. The first mention in the records, of any step being taken in the matter, is on August 14th, when a committee consisting of Aldermen Wilson, Moody and McGill, were appointed to call for proposals for building such a

Hall, in accordance with plans and specifications lying in the office of the City Clerk. Meanwhile offers of edifices, looked upon as eligible, were made; on the 20th September, the American House was tendered for the purpose, while, on October 2d, a numerously signed petition, from tax-payers, was presented to the Common Council, praying that, "at an early date, a large, substantial brick building, suitable for a Town Hall, and, if necessary, to accommodate the Legislature of the State during their next session, should be constructed." The petition was accompanied by a communication from His Honor the Mayor, urging that the prayer receive immediate attention; and a committee composed of Aldermen Wilson, Lightston and Moody, were appointed to take the matter in hand. At the suggestion of Alderman Houghton, a preamble and resolution was adopted, leaving it to the decision of the people, at the ensuing election, whether or not they were in favor of the erection of a City Hall, at a cost not to exceed the sum of twenty thousand dollars. At the election held October 16th, two hundred and sixty-five votes were cast in favor of the building, and fifty-seven against it. On the 25th of October the committee, chosen for the purpose, reported in favor of the lot offered by Dr. Cory, for fifteen hundred dollars cash, as a suitable site for the building, while an ordinance was passed authorizing a loan of twenty thousand dollars, at a rate of interest not to exceed three per cent. per month, to be used in its construction. Meanwhile the subject assumed another phase. The committee appointed to examine such buildings as might be suitable for a City Hall, and also answer the purpose of a Legislative Hall, November 15th, reported a proposition from D. Einanuelli, which being read and discussed, was, on motion, accepted. It was as follows: "I will sell my lot and new adobe houses, situated on North Market street, to the city of San José, for eight thousand dollars; two thousand dollars to be paid in cash, and six thousand dollars to be paid in twelve months, bearing interest, from date, at two and one-half per cent. per month." An acceptance committee was appointed to make the necessary alterations, raise funds for carrying them out, and examine into the titles of the lot.

Perhaps no greater boon has been conferred on a city than has been received by San José in supplying it with water from artesian wells. In the year 1854 was this benefaction introduced. Early in January Merritt Brothers employed a well-borer to obtain water for their premises on Fifth street. After boring to the depth of eighty feet a stream of water was struck which gushed up to the surface in a bold rapid stream almost enough to turn a mill. The boring was done with a six-inch auger. Others at once commenced to be constructed in different portions of the city and country, until to-day there are considerably more than a thousand of these in the county.

In March, 1854, smarting under the loss of the capital, the question as to

the legality of its removal to any other town than San José was presented to the Supreme Court in the shape of a writ to construe the Act of Removal. It was decided by a majority of the Judges that San José was still the capital. On the strength of this judgment a writ of mandate was issued out of the Third District Court, against all the State officers, commanding them to remove their offices to San José, or show cause why they should not do so. After the argument was heard the Court sustained the writ, holding that San José was the capital. An appeal from this decision was taken to the Supreme Court, who now decided that San José was not the capital of the State, yet, there are those who maintain that the Garden City was wrongfully deprived of her well-earned honors.

On the 6th of May a meeting was held in the Mayor's office under the presidency of H. C. Melone when a County Agricultural Society was organized with the following officers appointed May 20th: President, Dr. L. H. Bascom; Vice-President, J. F. Kenney; Recording Secretary, E. P. Reed; Corresponding Secretary, W. S. Letcher; Treasurer, F. G. Appleton; Board of Managers, Frost of Fremont, J. B. Allen of Gilroy, James Houston of Alviso, Joseph Aram, W. R. Bassham, Dr. Langhorn and Lemuel Robinson of San José.

In the month of June robberies would appear to have been more than ordinarily numerous. On the night of the 22d, the store of L. Lazarus & Co. was broken into and five hundred dollars' worth of goods stolen, while on the 26th, an attempt was made upon the premises of Mr. Devoto on North Market street. In this month too the Hook and Ladder Company erected an alarm bell weighing four hundred and nineteen pounds, on a temporary belfry at the rear of the engine house. The bell cost four hundred and four dollars which was entirely contributed by members of the company and some citizens. About midnight on the 1st July the cry of fire was heard and the clear-toned bell rang out the alarm. The scene of the conflagration turned out to be the Baptist church situated on Santa Clara street, between First and Second, it was undoubtedly the work of an incendiary for no fire had been used in the building for a considerable period. On the 4th of this month the *San José Semi-Weekly Tribune* issued its first number; while about the same time the fare from San Francisco to San José by Dillon, Hedge & Co.'s stage line was reduced from eight to six dollars. On the 22d July Demasio Berreyessa was hanged by the Vigilance Committee. Of this transaction the *Telegraph* says: "On Friday night one of those dreadful deeds was done in this city, shocking to all our moral sensibilities and our notions of social duties and rights, but which too often occur in new and ill-regulated communities, and among a people over whom a faithful and vigorous administration of the law, has not yet attained a corrective agency in the punishment of heinous offenses. Early on Saturday morning a man

was seen suspended by the neck to the limb of a tree, in the south-eastern part of the city. His hands were tied behind him; his tongue discolored, was protruding from his mouth; and the whole appearance of the unfortunate victim of a misguided sense of duty, indicated that he had been dead for an hour or two. On this terrible tragedy being communicated to Justice Murdoch, he repaired to the spot, and summoned a Jury of Inquest, who found that the name of the deceased was Demasio Berreyessa whose residence was near the New Almaden mines, and that he came to his death by being hung by the neck from the tree, with a rope, by persons, to the Jurors unknown. Demasio Berreyessa is a young man of about thirty years of age; a wife, three small children, a mother, and several brothers survive him. The family are the proprietors of a large and valuable tract of land near the New Almaden mines, upon which they reside; and the family connection is very large numbering many among the most respectable, as well as many of the most worthless, of the California race. The general reputation of this particular family is bad. Violent, brutal, revengeful and blood-thirsty, the Berreyessas have been looked upon as bad citizens and dangerous men. But it is but justice to the memory of the deceased to say, that among all his brothers, Demasio was considered the best.

"The particular grounds or evidence of guilt which led to this man's fearful end at the hand of a secret association, we have not been able to learn, but rumor alleges that it is on account of a supposed participation in the murder of Alexander W. McClure. * * The friends of the deceased, and the California population generally, deny that Demasio had any participation in the murder of McClure; while there are not a few among the Americans, who doubt his guilt, and seek in another direction for the perpetrators of the crime. Others are not backward in expressing their contempt for the ministerial officers of the law, who, regardless of their oaths and duty, if they do not openly encourage, do nothing to stay such lawless proceedings. On Sunday the body of the unfortunate Demasio, in an open coffin, was carried on the shoulders of his friends and relatives, through the city, followed by a number of his countrymen and women, whose wails were painfully distressing—it was taken to Santa Clara for interment."

On the 14th September, the flouring mill of Bassham & Kincaid, on the Guadalupe river, was opened under the most auspicious circumstances; while in this year a foundry was established by Mr. Allbee. At this period it is said that buildings were in the course of erection all over the city, but especially in those portions where artesian water had been obtained. The precise quarter where these most existed was in the eastern part of the town, from Santa Clara street to below Washington square, while on the banks of the Coyote, R. G. Moody was constructing a first-class flouring mill to be fed entirely by artesian water; and the Messrs. Cotterills had brought to completion a large distillery.

In this year, too, was established a district school, by Freeman Gates, on the corner of Santa Clara and Third streets, making the second public school in the city.

1855.—On the 12th February of this year, the office of Captain of Police was created, and an ordinance passed defining his duties; on the 5th April, the duties of Delegates of the Fire Department were resolved upon; while on the 12th of the same month, the election was held, and the following gentlemen selected to perform corporation duties: Mayor, S. O. Houghton; Common Council, William Daniels, A. S. Beatty, S. M. Cutler, P. O. Minor, R. G. Moody, C. Martin, John M. Murphy; Marshal, T. E. Soubllette; Treasurer, John H. Moore; Assessor and Clerk, E. P. Reed; Attorney, William Matthews; Street Commissioner, John Wilson.

The following preamble and resolution was offered on May 28th, by Alderman Cutler: "WHEREAS, That heretofore there were donated and set apart by the city of San José, for school purposes, some fifty to sixty fifty-var lots in said city, and it is represented that said lots have been illegally assessed and subsequently sold for taxes, Therefore, *Resolved*, That the City Attorney be, and he is hereby authorized and required to make a full examination as to the present interest the city has in said lots, and if in his opinion, they can be made available for the purposes for which they were intended; giving a description of the same, and that he make a report to the Council, at his earliest convenience."

In further regard to schools, the petition of a large number of citizens, presented to the Common Council, October 8th, praying that the school at the corner of San Fernando and Market streets should be taken under the control and protection of the city, was referred to a committee; while, December 3d, it was resolved that the City Treasurer call upon and receive from the Treasurer of Santa Clara county all moneys that may be due and coming to the city as a school district under the laws of the State of California, the amount so received to be held by him subject to the action of the Council.

On New Year's day, 1855, the San José fire companies paraded the streets, and held other exercises. They met at the engine-house on Lightston alley, and, after being formed in procession, marched through the principal streets of the city to the "brick church," where, after prayer by the Rev. Eli Corwin, Miss Mary Crane, on behalf of the ladies of San José, presented Empire Engine Company, No. 1, with a beautiful and tastefully adorned banner. These ceremonies were followed by a collation at the City Hall, and a most enjoyable time spent. In this month, January, we find that the Pacific and Atlantic Railroad Company, having been fully organized, had determined on a vigorous prosecution of the work. Operations were com-

menced upon the road, on the 15th, under William J. Lewis, Chief Engineer; and Messrs. Wood and Healy, Assistants, on St. James square.

On February 5, 1855, the "Santa Clara County Dragoons" was organized, and elected the following officers: Captain, S. J. Hensley; First Lieutenant, S. O. Houghton; Second Lieutenant, Mr. Ham; Junior Second Lieutenant, F. S. McKinney; Orderly Sergeant, Fountain Letcher; Second Sergeant, John Royall; Third Sergeant, D. Melone; Fourth Sergeant, J. Kincaid; First Corporal, F. G. Appleton; Second Corporal, Thomas E. Soubllette; Third Corporal, William M. Cameron; Fourth Corporal, L. C. Ward; Surgeon, Dr. Ingersoll; Saddler, S. Bossler; Farrier, W. C. Wilson.

In the month of March, there would appear to have been considerable excitement in regard to the Kern River mines, several companies having been made up in San José to proceed thither. On April 16th, the Common Council held its first session in the new City Hall. This building was situated on Market street, and was planned by Levi Goodrich, under whose supervision it was built. It was two stories in height, the upper floor containing a spacious apartment, fifty-five feet long and forty feet wide. It is described as having been of elegant finish, of fine proportions, and one of the most beautiful rooms in the State. The time was when it was thought that it might be used as a Legislative Chamber.

On the morning of May 31, 1855, a large fire broke out in the most populous quarter of the city, whereby a great amount of damage was sustained. As it was a conflagration of considerable magnitude we reproduce the *Telegraph*' report: "The fire originated in a small frame building, situated on a short narrow alley, east of Market and south of El Dorado street, which was tenanted, as were several other buildings on the same alley, by a number of Mexican women of ill-fame. Immediately west of these tenements, and fronting on Market street, were the stores of Lazarus & Co., clothing and dry-goods merchants, corner of Market and El Dorado; the fruit and grocery store of Giovano Mulinari; the vegetable and grocery store of Baptiste Soularis; the jewelry store of L. E. Veuve; the confectionery establishment of Madame Alviso, and the extensive saddlery emporium of Augustin Schweb. All of these suffered considerable loss. The ravages of the fire southward were checked by the brick walls of the large fire-proof building of Auzerais Brothers; these alone saved the entire block from destruction." After the fire had burned to the ground, the body of a man, half-consumed, was found among the embers; a portion of his legs and arms were burned away. It was recognized as the body of Marsalino Monrealo, a Mexican, employed as cook by the parties in whose house the fire originated.

Of the improvements going on at this time, the same periodical of June 21, 1855, states: "On the south-east corner of Market and Santa Clara streets, Frank Lightston is erecting three fire-proof brick stores. The found-

ation walls are laid broad and deep; the building is sixty-four feet front on Market street by forty-eight feet deep on Santa Clara street, and will be two stories high; brick partition walls separate the stores. The upper story is to be partitioned off into offices and bed-rooms; the iron-work for door and window-frames for these stores, we are informed, cost three thousand dollars. Beautiful blocks of well-dressed China granite form the water-table of the foundation walls, and handsomely-dressed freestone from the hills of New England, will form the sills and caps of the windows and doors. The building is under the direction of Levi Goodrich, architect." Of another edifice the same authority remarks: "On the north-west corner of Santa Clara and Market streets, Don Pedro Davidson is erecting four fire-proof brick stores. This building is one hundred and eight feet front on Santa Clara street by thirty-six feet deep on Market street, and is to be, for the present, but one story of thirteen feet in height. The foundation walls are laid, and a beautiful water-table of well-dressed China granite caps them; in these, iron door and window-frames are fastened, and the masons are briskly at work rearing the superstructure. Dressed China granite work will be used for the caps and sills of the windows and doors. The iron-work cost fifteen hundred and fifty dollars. It was originally intended to divide this building into six stores of about eighteen feet in width each, and it is to be regretted that that design was not carried out; but under present circumstances the two end rooms are to be thirty-six feet by thirty-eight feet deep. A substantial brick wall separates the several store-rooms of this building." On the 25th June of this year, St. John's Day, the Masonic fraternity had a public demonstration and procession, finishing with a grand ball in the evening; while on the fourth of July there was a celebration of more than ordinary grandeur, the oration being delivered by the Rev. Eli Corwin, and the Declaration of Independence read by R. A. Redman.

At this season, we are informed, the weather was unprecedentedly warm on Saturday, July 7th, and two following days, the thermometer registering one hundred, ninety-six, and ninety degrees in the shade. In this year the artesian well on Market street was bored, the depth attained being two hundred and fifty feet, when water was found, while of other concerns all that can be said for 1855, is that crops were light, and though building progressed at a fair rate, business was comparatively dull.

1856.—On the 21st January, 1856, the committee appointed to examine and report upon the school at the corner of San Fernando and Market streets, made the verbal statement that there were about fifty pupils in regular attendance; the teacher was mainly supported from private sources; and an appropriation should be made for his benefit to correspond with the amount paid to the other city teachers by the State. On April 16th, an ordinance to establish and regulate a system of common schools for the city of San



J. E. Snell

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José, was passed, and the office of Superintendent created. The ordinance was referred to a select committee, who, June 16th, recommended that the first section be so amended that the Superintendent of the Board of Education be elected by the people. A resolution was adopted, July 21st, whereby the building of a school-house in the city was ordered.

On March 3d, the total amount of taxes due to the city during the previous year was.....\$12,442 13
There was collected..... 12,258 03

Leaving delinquent the sum of..... \$ 184 10

While, according to the message of Mayor Murphy, received by the Common Council, August 18th, the total debt of the city, including interest, amounted to forty-eight thousand six hundred and ninety-six dollars, thirty-four cents.

A fire engine of Mr. Gourlay was recommended to be purchased by the Council, on March 31st, provided a company could be raised to man it; accordingly, on May 12th, Torrent Engine Company, No. 2, was admitted into the Fire Department by ordinance.

At the election held April 16, 1856, the following municipality was elected: Mayor, Lawrence Archer; Common Council, John M. Murphy President, Thomas Fallon, C. W. Pomeroy, S. M. Cutler, John B. Price, Levi Goodrich, Givens George; Marshal, Thomas E. Soubllette; Treasurer, John H. Moore; Assessor and Clerk, E. P. Reed; Attorney, F. S. McKinney. On the 21st July, His Honor Mayor Archer resigned the Civic Chair, and was succeeded by the election of President of Council, John M. Murphy, on August 5th, who in turn was replaced by Givens George. July 7th the Marshal was appointed keeper of the City Hall, with power to let it at the rate of ten dollars per night to parties desiring it; while, on August 5th, the City Attorney was instructed to make out a deed to the county of Santa Clara for Market square, in accordance with an understanding heretofore existing between the city and county.

Early in the month of January, 1856, the establishment of a public library was mooted; while about this time an attempt was being made to procure the passage of an Act to repeal the City Charter; and, in the month of March, Crandall & Brother established an omnibus to run between San José and Santa Clara.

On Wednesday, May 13, 1856, San José stood aghast at the startling intelligence that James King of William, the editor of the *San Francisco Evening Bulletin*, had been shot in the streets of San Francisco, by James P. Casey, editor of the *Sunday Times*. On May 20th Mr. King died, when, out of respect to his memory, flags were suspended at half-mast throughout the city; at noon on the day of the funeral, May 22d, the bells of San José were

toll'd; while the *Telegraph* of the 27th speaks of the deceased in these terms: "The assassin of the lamented King, sought a shining mark—eminent for probity, for private and public purity of character, he was no less remarkable for his fearless independence in maintaining the freedom of discussion and the liberty of the press. He fell a victim to that independence—a martyr to that liberty. The man sunk beneath the hands of the assassin—but the principle he maintained and died for, has gained new energy and power, and will live forever." While the funeral bells sent out their mournful tones, the foul murderer was being hanged by the Vigilance Committee in San Francisco, amid great excitement which lasted for days, and even communicated itself to San José, which culminated in a public demonstration of popular sentiment held at the City Hall June 17, 1856, where, among the speakers, were ex-Governor Burnett, Mayor Archer, T. W. Park, of San Francisco, Hon. W. S. Letcher, and others. The action of the Vigilantes was fully indorsed, as the following resolution will show: "*Resolved*, That we, the citizens of Santa Clara county, do cordially approve of the action of that committee up to the present time, and that we have the fullest confidence in their wisdom, integrity, and prudence in what they may find it necessary to do hereafter, and that we cheerfully offer them our sympathy and support in the good work they have undertaken." Substitute resolutions were offered by Governor Burnett, which were laid upon the table. On June 23d, a Law and Order meeting was held, when Governor Burnett, W. T. Wallace, and others took part, and resolutions against the proceedings of the Vigilance Committee were passed.

In 1856 the State Agricultural Fair was held in San José, when the city was crowded to overflowing, and the want of accommodation was felt. However, many of the citizens threw their residences open, and there maintained a generous hospitality. On the 15th October a severe shock of earthquake was felt, but no damage of importance was done; while in a general summing up, 1856 may be said to have been, on an average, a prosperous year. The city had made some progress in its growth; houses still sprung up on every side, among the most prominent being the brick store of Eli Jones & Co., on the east side of First street, between Santa Clara and El Dorado streets.

1857.—January 5th, D. J. Porter and A. W. Stone were elected Councilmen; and on the same date, on motion of Alderman Pomeroy, the clerk was instructed to draw up a memorial and petition to the Legislature praying for an extension to June 1, 1857, of the provisions of an Act entitled "An Act to authorize the funding of the debt of the city of San Jose, and to provide for the payment of the same." On the 19th January, the bid of B. F. Barker and Benjamin Mills, for eight thousand dollars, for the construction of a school-house, was accepted; and on the 22d the Select Committee to whom

was referred the report of the Clerk, stating the amount received by the several city officers as salary, perquisites, etc., submitted an ably written statement, together with a table of the amounts saved to the city by the adoption of the recommendations therein set forth. The report is as follows:—

“The Special Committee of the Common Council, to whom was referred the report of the Clerk, stating the amount received by the several city officers, as salary, perquisites, etc., would respectfully submit that they have taken into consideration the subject matter so referred to them, and have given it such consideration as the time so brief would admit, and set forth our views, together with the following statistics, in brief for your consideration, embracing, as we think, the deserved reform for the better and more economical administration of the city government. We have taken the last four quarters of the year on which to base our conclusions.

“It will be observed by reference thereto, that the sum of three thousand nine hundred and twenty dollars, ninety-one cents, will be saved to the general fund of the city while the offices of Mayor, Marshal, and Clerk, if the Council will permit perquisites in connection with these offices, will still remain remunerative and desirable:

TABLE SHOWING THE AMOUNT RECEIVED BY THE SEVERAL CITY OFFICERS FOR THE LAST FOUR QUARTERS; ALSO THE AMOUNT THAT WILL BE SAVED TO THE CITY ACCORDING TO THE ORDINANCE SUBMITTED.

	Amount paid for the last four quarters.	Am't saved to the city by adoption of new ordin'noe.
MAYOR....Criminal Fees only.....	\$ 680 00	\$ 325 25
MARSHAL..Salary	500 00	
Fees as Collector.....	846 74	
Fees for Arrests.....	408 00	
Fees for Inspecting Cattle.....	450 00	966 91
ASSESSOR..Salary	500 00	
Copying City Assessment List.....	159 00	359 00
CLERK ....Salary.....	780 00	450 00
TREASURER..Percentage.....	500 00	200 00
POLICE.....	2400 00	1500 00
ATTORNEY..	140 00	
BOARD OF PRISONERS.....	240 00	120 00
	\$7,523 74	\$3,920 91

“Your committee have, habituated by a desire to justly reward the officer in the prompt and faithful discharge of the duties devolved upon him; and

that while it greatly relieves the city treasury, the perquisites attached will (in the opinion of your committee) make the salary all that should be desired; and it will be realized from that portion of our community the least entitled to our consideration and sympathy, especially so in the police department of our city government, wherein offending parties are made liable to meet a portion of the expenses incurred in the investigation of crimes committed by them. That while it had a tendency to prompt the officer in the faithful and important discharge of his duty, it will act as a check upon offending parties; especially upon that portion of the community who presume that criminal laws are made only to be enforced upon the poverty-stricken culprit.

"Experience has long taught us that an extravagant salary does not always secure the prompt, honest, and efficient discharge of the duties of an officer, or secure only the services of the competent and just; for we are sensible of the fact that in no part of our confederacy (if not of the world) has the office-holder been so munificently rewarded as in our own State, and that public sentiment and *actual existing and undeniable facts* will sustain us in saying that in no part of our confederacy have the laws been so badly administered. While we are proud in saying that our own city officers are discharging their respective duties in a manner to place them above reproach, all must admit the necessity of reform in our city expenditures.

"Your committee do not presume upon perfection in the matter set forth for your consideration, but the contrary, and would recommend that the whole subject should be acted on with cautious and candid deliberateness, and have no doubt but what alterations and amendments may be made to the mutual benefit of the governing and governed, in all of which your committee will cheerfully contribute in time, and such ability as they are endowed with.

"C. W. POMEROY, JOHN B. PRICE, DAN'L J. PORTER."

In this regard Ordinance No. 7, entitled "An Ordinance regulating the fees and salaries of the officers of the City of San José," was passed. Section 1, provided that the City Clerk should receive for his services as clerk of the Board of Trustees, including all duties as such, one hundred and fifty dollars per annum; and seventy-five dollars per annum for making out the tax-list and keeping the list of licenses. Section 2, provided that the City Assessor should receive three dollars per day while assessing, provided he do not receive more than one hundred dollars for his whole annual assessment. Section 3, directed the City Collector to retain two and a half per cent. on all moneys collected by him for licenses or taxes. Section 4, provided that the Treasurer should receive one per cent. on all moneys received by him, belonging to the city. This ordinance was passed June 12, 1857.

On the 9th March, the Committee on Public Lands and Buildings reported to the Council that they had been informed by competent counsel, that the title of all the school lots was vested in the city, and asked that the following preamble and resolution be adopted: "WHEREAS, Doubts no longer exist in the minds of the members of this Council as to the legal rights of this city to certain real estate set apart for school purposes; and, whereas, a portion of said real estate within the corporate bounds of this city is now being occupied by persons who have purchased them in good faith without the knowledge of the just and legal rights of this city thereto, and in many instances have made valuable improvements thereon: *Therefore be it Resolved*, That this city propose to said occupants the following just method of amicably settling the same, viz.: That the city, through its Council, shall make choice of one competent, disinterested person; the party occupying the property shall choose some competent, disinterested person; and the two thus chosen shall choose a third person; and the three thus chosen shall determine the value of said real estate aside from the improvements thereon, and from which amount so determined shall be deducted the amount of money actually received by the city at the time of the illegal sale of said property, and upon the payment of the residue to the City Treasurer, to the credit of the School Fund, they shall receive from the city the proper title to said property.

"And be it further Resolved: That any person occupying any of said school lands, and that may have determined the value thereof as above provided, may execute to the city a proper obligation for the amount thereof, payable at any time that the city may require the same for school purposes, said obligations to bear interest at the rate of twelve per cent. per annum, and to be paid annually. The title to said property to be perfected to said persons only when the whole amount of the principal and interest is fully paid to the city as provided in the preceding resolution." To determine the value of these and to act in concert with whomsoever should be appointed, Alderman Pomeroy was nominated to represent the Common Council of the city of San José.

At a meeting of the citizens of San José held at the City Hall, January 24, 1857, under the presidency of Judge C. P. Hester, with P. O. Minor, Secretary, the object was stated by D. Devine to be the amendment or modification of the City Charter. On motion, Judge Devine presented a draft of an Act to repeal the charter, and an amendatory Act appointing Trustees for the management of the city. Dr. Spencer moved that the present City Charter be abolished and a new charter be drafted, so as to avoid the defects in the present one, which motion was carried. Mr. Matthews moved that a committee of five persons be appointed to draft a plan or bill in accordance with the above. Motion was put and carried, and the Chair appointed Messrs. Matthews, Devine, Dr. Spencer, Rhodes and Voorhies, and on motion

the Chairman was added to the committee; on the 31st, William Matthews presented certain amendments to the existing instrument, which meeting with the views of the majority were adopted. The Legislature passed a bill to re-incorporate the city, which the Governor vetoed, but finally another bill was passed March 27, 1857, and being signed by the chief Executive, went into effect on the second Monday in April.

The government of the city now became vested in five Trustees, a Treasurer, and Clerk and Assessor, and Collector, the first election for whom was held April 20, 1857, when Marcus Williams, William Daniels, James C. Cobb, Thomas Fallom, R. G. Moody (President) were elected the Board of Trustees; Chapman Yates, Clerk and Assessor; J. H. Scull, Collector; John H. Moore, Treasurer.

On August 26th, Mr. Crittenden of San Francisco was permitted to make a statement to the Board of Trustees relative to the confirmation of pueblo grants to the Land Company, etc.; after which, on motion of Mr. Daniels, the Committee on Public Lands and Buildings were instructed to make a thorough examination of all the old pueblo papers, and also of all the records and papers pertaining to the action of the Land Company, or of the city authorities of San José in reference to the pueblo lands of the city, and report as to what action is deemed most advisable on the part of the city authorities to quiet land titles.

On Friday, January 11, 1857, a severe shock of earthquake was experienced in the morning at about eight o'clock, the vibration lasting about a minute. The effect upon some of the artesian wells in the neighborhood was remarkable—for a moment the water ceased to flow from the pipe, and then gushed out in greater volume and with more power than usual, while the channels of other wells that had become obstructed were re-opened and the subterranean current caused to flow.

Once more have we to record a serious conflagration. On the morning of February 3, 1857, McLellan's Hotel, at the north-west corner of Santa Clara and First streets, was found to be on fire; scarcely had a moment elapsed after the smoke was first discovered issuing from under the eaves, before the whole building, which was a frame one, was a prey to the fiery fiend. The two engines and the hook and ladder companies were promptly on hand and manfully combated the devouring element, bending all their energies to confine the flames to the hotel, which they succeeded in doing. Considerable damage was done to the adjoining houses, Mr. McLellan's loss being estimated at about seven thousand dollars, uninsured.

About this time the manufacture of beet sugar was occupying considerable attention, a public meeting having been held with Colonel Younger as Chairman, and Edward Auzerai, Secretary, where the advantages of the manufacture was fully discussed; while another industry had been planted in the shape of a pottery conducted by Marcus Williams.

On the 5th June a large meeting assembled at the City Hall to consider the subject of *suerte* titles, when L. Archer, A. Pfister, R. G. Moody, John A. Quimby and John M. Murphy were appointed a committee to report resolutions expressive of the sense of the meeting. The resolutions were unanimously adopted and were as under:—

“*Resolved*, First, That we will unite and use every exertion to expose and defeat all fraudulent land claims, before the tribunals of the country, and aid and assist the honest citizen and settler in defending his home, and maintaining his rights; and that while so doing we will support and recognize all fair and *bona fide* claims, whether held by a nabob or a beggar. Second, That we have no sympathy with, and will not countenance the dealers in fraudulent tax titles, and fraudulent land claims. Third, That many of the surveys of Spanish land claims, although made by the authorized agents of the United States Government, are fraudulent and unwarranted by the titles, and have been made by collusion and fraud of the claimants and the Deputy Surveyors, and should be discountenanced by the people, and the parties to them denounced; Fourth, And that we earnestly urge the government of this city to take immediate measures to recover the school lands, and to protect the ancient rights of the pueblo. Fifth, That, in our opinion, the buying of pretended or doubtful titles to lands held in good faith by other persons, under claim of right, with the intent that the buyers may disturb the grant or possession of the persons so possessing should, in the language of Chief Justice Bibb, who is concurred with by most of the American and English judges and lawyers, be ‘denounced as contrary to sound policy, the peace of society and the safe administration of impartial justice.’ Sixth, That if it can be ascertained that title to lands in our midst can be established upon oral testimony alone, unaided by any documentary evidence, as to genuineness of claim or locality thereof, it opens the door to the perpetration of the greatest wrongs upon the rights of others by the vilest men, through the medium of frauds and perjuries. Seventh, That we earnestly request any speculators in disputed, pretended, dormant, or doubtful titles to lands in our locality to consider carefully the tendency of such things, and the effect they must have upon the peace of the people, upon the rights to property and the purity of trials in Courts of Justice.”

In the month of September, the first preserved fruit manufactory was in operation by Roze & Hartmann. On the 20th October, a heavy shock of earthquake was experienced which caused considerable alarm; while in this year there were five school districts in the township, with an attendance of seven hundred and eighty-nine pupils.

During the year 1857, rents and property were not at the high range that they had been hitherto, still improvements were carried on. The brick

house, on First street, of Mr. Stock, was built in this year, as was also the school-house on Washington square.

1858.—An ordinance authorizing George Wheeler and John Ashley to lay gas pipes through the streets, was passed by the Board of Trustees on January 11th, and, on the 18th, amendments to the charter were suggested, to cover the necessity of owners of property being required to build the street and side-walks in front of their respective lots. On February 15th, the Rev. Eli Corwin was appointed City Superintendent of Common Schools, and the following Trustees chosen: District No. 1, C. W. Pomeroy, J. B. Price, S. M. Cutler; District No. 2, Charles Moody, Joseph Aram, and David E. Skinner. On March 1st, an ordinance was passed establishing the boundaries of these, and regulating the School Fund. April 13th, the municipal election was held, with the following result: Board of Trustees, P. O. Minor, President, G. W. Pomeroy, Adolph Pfister, J. P. Martin, N. B. Edwards; Collector, Jasper D. Gunn; Assessor and Clerk, W. R. Davis; Superintendent of Schools, Rev. Eli Corwin; Treasurer, John H. Moore. April 24th, a letter was received from Hon. E. M. Stanton, stating that it was the object of the General Government to have collected at the office of the Surveyor-General, at San Francisco, all the Spanish and Mexican archives of California, that the same might be collated, bound, indexed, etc., for convenient use; and requesting, in the name of the United States Attorney-General, that the Board of Trustees of San José would transmit all of such archives belonging to the city, to that officer, to be used as indicated. On April 26th, F. B. Murdoch, J. M. Williams, and Louis Cory, were appointed School Trustees, for District No. 1, and, on November 1st, Thomas Douglass was called upon to assume the duties of City Superintendent of Schools, in place of the Rev. Eli Corwin, resigned.

The *Telegraph* of January 20, 1858, informs us that the improvements in San José during the past year had been permanent, especially in beautifying suburban residences; and the purchase, by Martin Murphy, of one hundred and thirty feet of property on Market street, for nine thousand, two hundred and fifty dollars. An Act amendatory and supplementary to an Act entitled, "An Act to re-incorporate the City of San José: Approved March 27, 1857," was approved April 15, 1858; and, September 29th, a meeting of the Fire Department was held, when the thanks of the organization were tendered to Major S. J. Hensley, and through him to the Steam Navigation Company for furnishing the Department with a free passage to San Francisco, to attend the celebration of the laying of the Atlantic cable, on Monday, the 27th.

On October 3d, the Presbyterian Church bade adieu to the Rev. Eli Corwin, who, we have said above, resigned his office of Superintendent of Schools, prior to his departure for the Sandwich Islands. Mr. Corwin settled in San José,

in 1852, as Pastor of the Presbyterian Church. Society in California, at that day, was in a much more unsettled condition than when he left; it was composed chiefly of wild, dissipated and reckless men, who, unrestrained by the influence which forms so strong a check to vice in better organized communities, often indulged in extravagant follies. Mr. Corwin set himself diligently to the work of reform, and to create a religious sentiment in society. His eminent social qualities, his great conversational powers, and the kindness of his nature attracted toward him the young, and inspired their confidence and respect. Endowed with a bright and active mind which was polished by a fine education, and improved with much reading, Mr. Corwin soon became a popular minister in San José. The thoughtful and religious loved the earnestness of his zeal—the gay and the youthful admired the classic elegance of his style, and the affecting eloquence of his sermons. Few men of old church religious faith could have done more for the good of the people among whom he lived, than did Mr. Corwin.

December 2, 1858, a large mass meeting was held at the City Hall for the purpose of expressing the popular feeling with reference to the action of the United States law agent at San Francisco in prosecuting a suit against the Almaden Mining Company, by which it had been enjoined from working. The Chair was occupied by Hon. C. P. Hester, and Wm. R. Davis, Secretary, while a committee composed of Messrs. Bodley, Murdoch, West, Pomeroy, and Johnson (of Santa Clara) drafted and reported the resolutions below given: "WHEREAS, The discovery of the New Almaden Quicksilver Mines was a matter of rejoicing to California; and, whereas, the Company which now occupy the same, and have been in the quiet and peaceful possession thereof for twelve years, and who have invested very large amounts of capital for their development, have invariably exhibited a generosity and liberality in the management of said mines, and have not only given employment to a laboring population, and cheered their homes with the comforts of life, but have also earned for themselves a high position in the esteem of the citizens of Santa Clara county, as an honorable and upright association. And, whereas, said company have always met the demands of the tax-gatherer for the support of the Government, and for the stability of our own State on the shores of the Pacific, *Be it therefore Resolved*, That we deeply deplore the recent action of the General Government in its extraordinary measures to paralyze the efforts of a mining association so steadfast and persevering in its efforts to develop the mineral resources of California, and so favorably disposed to promote the best interests of the State, and the personal welfare of the large number of workingmen in its employ. *Resolved*, That we deem it a strange fatality that induced the General Government (brought about from false representations) to seize upon the New Almaden Quicksilver mines, conducted as they have been by the oldest, best estab-

lished, and most liberal mining company in the State of California. *Resolved*, That if the doctrine lately enunciated by the Circuit Court of the United States for the State of California, in enjoining the New Almaden Quicksilver Mining Company from further operations, and thereby throwing hundreds of workingmen out of employment, and robbing labor of the bread it has earned, and throwing a cloud of darkness over thresholds lately beaming with light and comfort, then there is no safeguard left to the mining interests of California, from the vandalism of speculation; and we, as in duty bound (more in sorrow than in anger), proclaim to the myriads of hardy miners now industriously exploring the valleys, the rivers, the gulches, and the mountains of California, from Yreka to San Diego, 'To your tents, O, Israel,' for the combination of land speculators has brought the Government of the United States to bow in abasement to its insatiate Moloch. *Resolved*, That while we have no partisan feeling or selfish interest as to the merits of said rival claimants of the New Almaden Quicksilver mines, and though we keenly feel the injustice of the judicial measures which have crippled the industrial energy of our county, and robbed it of its resources to meet the demands of the State Government, we sincerely regret the action of the General Government in sending a special agent from Washington to San Francisco, armed with the influence of the Government to crush this company, which has so long given employment to so large a number of our citizens, and given life to an industry and reward to our labor; but more especially do we condemn its actions in selecting for such agency the hired counsel of a rival claimant to the company, which has so long had said mines in their possession. *Resolved*, That a copy of the published proceedings of this meeting be sent to the President of the United States, the Honorable Secretary of the Interior, and the Honorable Attorney-General of the United States, and that they be respectfully requested to order that the injunction granted by the Honorable the United States Circuit Court for California be removed, dissolved, and that the company now in possession of and operating the said New Almaden mines, be permitted to pursue their accustomed operations therein until the final determination of the proceedings at law investigating the title and rights of property." It is doubtful whether this meeting had any influence upon the proceedings had in this case.

The buildings erected during the year 1858 in San José were chiefly of brick, fire-proof, substantial, large and ornamental. On Market street four large stores were constructed, three of these by Martin Murphy. North of Santa Clara street on Market street Yocco & Brother built a fine store. On First street, which was then said to be fast becoming *the* business street of the city, Mr. Knoche had erected a brick store, at its corner with El Dorado; F. Stock had followed with three more; Pfister & Co., erected a block at the south-east corner of First and Santa Clara streets; Pedro de Saissait built

One on the same side of First street, near the terminus of El Dorado street; P. O. Minor built a concrete structure on the opposite side of First street; the Catholic church was encased with brick; on the north-east corner of Second and San Antonio streets the Baptist society erected a neat and substantial house of worship, of brick, fifty feet long, thirty feet wide, and twenty-two high; besides which, many handsome edifices of frame were raised in different parts of the city, all tending to its attractiveness and appearance.

This year the City Council inclosed Oakhill Cemetery with a substantial board fence.

1859.—On March 16, 1859, an Act, to incorporate the city of San José, was passed by which the government was to be vested in a Mayor, a Common Council, consisting of five members, a City Marshal and City Assessor. These were elected on the 29th of the same month, and were: Mayor, Thomas Fallon; Common Council, C. W. Pomeroy, J. M. Williams, James Morrison, A. Pfister, R. G. Moody; Marshal, Jasper D. Gunn; Assessor and Clerk, William R. Davis; Treasurer, T. Frank Grant.

In his message to the Common Council His Honor, Mayor Fallon, remarked: "To the matter of the lands of the pueblo or city of San José, I will call your particular attention. There is no question which can come before you, during your term of office, that demands so much of your attention as this; and it is hoped that in all matters affecting land titles, you will act with caution and be guided by justice, always having in view the settlement of titles in such a manner as will perfect the same. Not the amount of money to be derived, but the quieting of titles should be the main aim. Nothing tends so much to the prosperity of a community as the certainty of titles to the homes they occupy. Improvements are then made of a permanent nature, which add to the general wealth, and, as a consequence, increase the public revenue; besides, it makes people feel attached to their homes, and will induce many to live here permanently, who would otherwise leave the place, and perhaps the State. The sooner titles to land are settled, the better; for the longer it is delayed the more complicated will it get. Fortunately for this pueblo, the titles have not got in such a snarl but that it can be unraveled; but to do so, and make perfect deeds, it will be necessary that there be a unanimity of action by all the parties in authority, as well as some who have judgment liens on the pueblo lands. Of these I will briefly give you a history:—

"This pueblo was established in the year 1776, and was endowed with a large domain. The least quantity granted to any pueblo was four square leagues of land; but some pueblos had more, and this, being one of the most important in the State, is believed to have had many more leagues than the pueblos of lesser note. The titles of the pueblos are the oldest, for no title was given to individuals until several years after the establishment of

pueblos. The King of Spain and the Governors of California were always careful to make inquiry in regard to grants to individuals, and to know that such grants did not encroach upon the lands of the pueblo. The authorities of the pueblos had power to make grants of land, either for building or agricultural purposes. All the lands remaining unoccupied by any particular individual, was used in common for all grazing purposes.

"The authorities of the city, at present, have all the powers in regard to the disposal of lands that the former authorities ever had, for the Legislature in granting us a charter, could not take away any of our rights as a pueblo, nor does it attempt to do so, but gives us additional powers in regard to municipal regulations within certain limits. The Supreme Court of this State has given the opinion in several cases, holding good titles derived from the authorities of pueblos, both before and after the occupancy of this country by the Americans.

"In 1847 Burton was Alcalde, and called a meeting (or *junta*) of the heads of families, in regard to the commons. It was then decided that the commons should be surveyed into five-hundred-acre lots, and that there should be only so much of the pueblo lands surveyed as would give the head of each family five hundred acres, and, in order that the division should be fair, it was decided to place the numbers of the lots in a hat; one to be drawn by each person as his name was called; and the number so drawn to his name, to be his five-hundred-acre lot; and he to have a lease of the same for ninety-nine years.

"The first judgment lien, in all the lands of the pueblo, was created by endeavoring to provide suitable accommodation for the Legislature. In the formation of our State Constitution, the capital was located at San José, and most of the prominent men who then resided here, in order to keep the capital at this place, advanced money to the city and loaned their credit, so that the city might be able to pay rents of offices and houses, as well as to purchase the building occupied by the Legislature. Thus was our first debt created which never has been finally satisfied. The Legislature at length removed the capital, and left us our debts; but they allowed us a small sum—fifty thousand dollars in scrip, which sold for forty cents on the dollar—which sum fell short, by several thousand dollars, of paying the debt created. Interest was then very high, from the fact that money was worth a great deal for investment, as lands were low; and, in order to stop interest, both the city and her creditors were willing to arrange the matter satisfactorily (as will fully appear by reference to proceedings of City Council in 1850-51). All the lands of the pueblo were sold at Sheriff's sale and bid in by the creditors, and then they entered into an agreement, with the Mayor and Council, that two of their number and the Mayor should have power to convey the interest of all the parties concerned. This is the condition of the first judgment lien at present.

"The second judgment lien was created in 1854. The Supreme Court decided that San José was the legal capital, and they made it the capital, in fact, for they came here and held their court, and the people were assured by some of the Judges that the Legislature would have to meet here. So again the people were called on to provide accommodation for the Legislature—the first Capitol building having been destroyed by fire. An election was held, and it was decided to erect a suitable building. Accordingly our present City Hall was built, and a debt of forty-eight thousand dollars created thereby. In the meantime one of the Judges died and another was appointed in his place. The Court then reversed the former opinion, and decided that San José was not the capital. So that, between the Legislature and the Supreme Court, our city has been made to pay rather too dear for the floating Capitol.

"However, in order to get rid of the high rate of interest accumulating on the money borrowed, a Funding Bill was passed, and the debt funded; and for the purpose of securing to the creditors the sure payment thereof, three Fund Commissioners were created, whose duty it is to sell the property of the city, with consent of the city authorities, and to pay all the proceeds into the treasury for the liquidation of said debt. This is the condition, at present, of the second judgment lien on the pueblo lands.

"In order to make a good title, free and clear from all judgments or any cloud whatever, it will be necessary:—

"First, For the trustees of the first judgment, composed of the Mayor and two of the judgment creditors, to make a deed. I will here state that I have conversed with both of the gentlemen representing the creditors, upon this subject, and I am led to believe that they will make deeds of their interest for a mere nominal sum. They also assure me that they have power of attorney to sell, from all the parties interested. And for my part, as trustee for the city by virtue of my office, if I had the power, I would make good all deeds to the citizens without charge; and I think the city would then be the gainer; but as there are debts to pay, as a matter of justice, the parties benefited ought to pay something, so that our liabilities may be met, and justice done to all.

"Second, A deed from the Fund Commissioners, sanctioned by the city authorities, will, in addition to the first, be a good title of all the interest of the pueblo, and, I think, as good as any title in the State.

"Care should be taken by you to have the whole business in this matter legally done. I would recommend that you take it in hand immediately, and have some of your Body appointed to confer with the trustees of the first judgment, and the Fund Commissioners, so that you may all act in unity."

In accordance with these suggestions of His Honor, on June 6th the follow-

ing resolution, introduced by Alderman Pomeroy, was adopted: "WHEREAS, The permanant prosperity of this city depends mainly upon the prosperity of the country adjoining; and, whereas, the uncertainty of the land titles in this vicinity has been and is a serious impediment to our general prosperity and happiness; *Resolved*, That the agents of the company called the Land Company of the Pueblo of San José, be invited to confer with the Fund Commissioners and a committee of this Board to see if a compromise cannot be entered into by which the title to the pueblo lands may be perfected. *Moved and carried*, That the Committee on Public Buildings and Lands be instructed to confer with the San José Land Company and the Land Commissioners for the object specified above." The result of which conference was that the agents of the Land Company made propositions to execute deeds to occupants of the pueblo lands at prices varying from three dollars per acre, to which the Common Council recommended an addition from the Fund Commissioners to be received by the city at the rates of one dollar to every three charged by the Land Company.

A large railroad meeting was held January 29th under the presidency of Hon. C. T. Ryland, and again on February 3d, to consider the question of building a track to Alviso and connecting the same with San Francisco by means of fast steamboats. The Chairman of the committee appointed to consider the subject, J. M. Williams, based the estimate of cost at the round sum of one million dollars for a road direct to San Francisco, which was considered the more advantageous route, for which organization was nearly completed, a remark which was the ultimate cause of the abandonment of the Alviso project.

About this period the papers inform us that robberies were very numerous, the Mariposa Store being losers of about a thousand dollars, on the night of January 28, 1859, while others of less extent were common. On February 7th, the City Council established the price of lots in the Oakhill Cemetery, and promulgated rules and regulations therefor.

Oakhill Cemetery is one of the most beautiful spots in the neighborhood of San José. It is situated about two miles and a half from town at the base of a range of hills which rise high up in the middle of the valley, and form a prominent landmark for miles around. It is altogether an appropriate place for the deposit of the earthly remains of those who have gone before into the world where death is unknown.

On March 29, 1859, a horrible tragedy occurred whereby Samuel J. Crosby and L. Posey Fergusson lost their lives. The death of Fergusson, who was a stranger, here for the purpose of accompanying a friend to Missouri, was accidental, he being shot from the outside, while within the Court House building, the bullet having passed through a plank three and one-fourth inches thick. The fatal affair transpired at the corner of Second and San Fernando streets during the session of the District Court.

April 11th, several houses situated on the east side of Market, south of San Fernando street, the property of Antonio Pico, were destroyed by fire. On May 8th, the Baptist church on Second street, was dedicated by the Rev. Mr. Wheeler, of Sacramento, while of improvements undertaken at this time, they were numerous. At no former period in the history of San José had the city exhibited such striking evidences of prosperity as now. In every direction, and on almost every street, improvements were going on, and from morning until night the sound of the saw and the hammer, and the ring of the trowel was heard. At that date, July, 1859, sixteen brick buildings were in the course of erection, all, save one, being designed for stores, and most of them being two stories in height. Among these were structures erected by Edward Auzerai, on Market street, Martin Murphy, on the same thoroughfare, and on the opposite side, six brick store-rooms for Clemente Columbet.

August 15th, public notice was given by the San José Land Company, that they would sell their right to the land known as the Five-hundred-acre tracts, provided application was made therefor within four months. On the same date, the Commissioners of the Funded Debt gave notice that they would give titles to the same lands, while the Mayor issued a notification that he did not believe the Land Company had any interest in them.

Horace Greeley was announced to address the citizens of San José on the 19th August, but, owing to a message being received that he was unable to ride, from being covered with boils, his remarks did not take place until the 24th, when people from the remotest corners of the county—among them many ladies—came to hear a gentleman whose name had been for so many years identified with the political history of the country, as well as conductor of one of its most distinguished journals. On the 2d and 3d September, the distinguished poet and author, Bayard Taylor, lectured, the subjects being the "Arabs," and the "Arctic Regions." On September 17th, the news of the death of the Hon. D. C. Broderick was received with every demonstration of sorrow, flags being hung at half-mast. On the evening of Monday, October 10th, James Stark's new theater was opened with the play of Richelieu; he in the title role, and Mrs. Stark as Julie de Mortimer, while about the same time, First street, between Santa Clara, and San Fernando streets, was macadamized at a cost of about thirteen hundred dollars; and the Santa Clara Valley Agricultural Society became incorporated, and acquired seventy-six acres of land on the Alameda, for the sum of six thousand, one hundred and forty-two dollars.

1860.—On January 21st of this year, the following order was adopted by the Common Council: *Resolved*, That any or all persons wishing to examine any of the books, records, or papers of the city of San José, in the archives thereof, shall pay to the Clerk the sum of fifty cents per hour for such

length of time as he may be detained therefor; and it shall be the duty of the Clerk to remain in attendance all the time that such examination may be made, and be particular that no papers are extracted at such examination. The resolution did not apply to the proper officers of the city government.

February 6th, the President of the Board of Funded Commissioners informed the Common Council, by letter, that, they "have under consideration the proposition to test, by legal proceedings, the pretended claim of the so-called San José Land Company to what are known as the pueblo lands of the city. If the claim of the Land Company is good, as against the city, the Commissioners feel that it is hardly right for them to sell and receive money for lands to which they can convey no title, and if the Land Company's claim is not good in law, it is believed that it is the duty and interest of those who represent the city to quiet the city's title, and place it on an indisputable basis. This would seem to be due to those who purchase from the Commissioners." This note was written to gain an opinion from the Mayor and Common Council, who appointed a committee to confer with the Commissioners in regard to any contemplated legal proceedings. Their opinions were embodied in a report dated, March 14th, stating that they had consulted, as directed, and made known the action of the Council in the matter. To that end they proposed to the Fund Commissioners to engage the services of two attorneys who reside in San José, and also a law firm in San Francisco, and that, before proceeding in the affair, to have a written agreement with the attorneys as to what their charges would be. The names of Messrs. Archer and Yoell were suggested. The Committee further report as follows: "We also asked the Fund Commissioners if they were willing to allow some of the money now in their hands, from the proceeds of the sale of lands, to be appropriated for that purpose. The Fund Commissioners did not seem to have their minds made up to any particular action in the matter, and it appeared to your committee impossible to understand what they did want to do; for, although the Council and your committee took it for granted, from the tenor of the letter before referred to, that they had their minds made up to test the legality of the title of the Land Company, upon consulting with the Fund Commissioners, it appeared we were mistaken."

April 2d "An Ordinance granting to the county of Santa Clara St. James' Square" was read, and on motion adopted by the following vote: Ayes—Messrs. Morrison, Pfister and Moody; Noes—Mr. Pomeroy. The accompanying resolution was then carried: "WHEREAS, There has been an unsettled account between the county of Santa Clara and the city of San José in regard to the taking care of the indigent sick, amounting to the sum of about five hundred dollars, alleged to be due to the said county; and whereas said county



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Has offered to relinquish all claim against said city if privilege is granted to said county to build a Court House on any of the public squares of said city; and, whereas, in consideration of said offer, and other important reasons, the Mayor and Common Council have this day passed an ordinance granting said privilege. *Therefore be it Resolved*, That the Clerk of the Common Council be, and he is hereby instructed to furnish, without unnecessary delay, a copy of said ordinance to the Board of Supervisors of said county, together with this resolution."

At the municipal election held April 9, 1860, the following officers were selected: Mayor, Richard B. Buckner; Common Council, James R. Lowe, John R. Wilson, Arthur Shearer, Adam Holloway, Q. D. Gavitt; Marshal, Jasper D. Gunn; Assessor, Wm. R. Davis; Superintendent of Public Schools, R. P. Thompson; Treasurer, Levi P. Peck; Clerk, James V. Tisdall.

After being twice returned by the Mayor the ordinance granting to James Hagan the privilege of introducing gas into the city was adopted July 13th, all the Aldermen voting for it, while, August 16th, the citizens near whose dwellings the gas-works were to be erected, petitioned against such; and on August 23d a proposition emanating from the Board of Supervisors was read and an ordinance was passed leasing the upper portion of the City Hall for the purpose of holding county courts for two years from September 1, 1860.

The *San José Daily Reporter* made its first appearance on the 19th January of this year, under the direction of W. F. Stewart; it was changed to the *Weekly Reporter*, and was first issued as such April 23d.

A mass meeting to express the general feeling in regard to the injunction on the New Almaden mines was held at the City Hall, January 24, 1860, when resolutions were adopted requesting the representatives of the county in the Legislature to take action so that it should be removed.

The progress of the city during the year 1860 was gradual, and indicative of prosperity, while its affairs were fast assuming good shape, and its acts a permanent form.

1861.—The records of this year show that on April 11th the election for municipal officers was held with the following result: Mayor, J. W. Johnson; Common Council, W. W. McCoy, C. T. Ryland, J. M. Williams, A. Holloway, J. R. Lowe; Marshal, J. D. Gunn; Assessor, A. M. Younger; Superintendent of Schools, R. P. Thompson; Clerk, J. R. Lowe, Jr.; Treasurer, Levi P. Peck. July 15th, Thomas Bodley was elected to the Council *vice* C. T. Ryland, resigned. On May 8th, it was resolved by the Common Council that the Mayor be instructed to enter into a contract with W. T. Wallace, employing him to appear for the city of San José and Fund Commissioners in the suit of *Smith, et al., vs. The City of San José*, and to attend the said suit until its termination, at the fee of five thousand dollars, and that he be required to make a vigorous defense to said suit, and obtain if possible a judgment that said Smith and his associates, etc.

On January 21, 1861, the commencement of lighting the streets with gas in San José was effected, eighty-four consumers being supplied, and seven lights put on the streets. In the Spring the *San José Weekly Mercury* was issued—a history of this paper will be found elsewhere in this work—while in the month of April occurred that procession when nearly a thousand settlers paraded through the streets of San José.

The year 1861 is one which will be ever remembered as that when there broke out a dissension between two vast sections of the United States, that was like, at one time, to effect the dismemberment of the nation. Joint resolutions had passed both Houses of the Legislature pledging California to respond to any call from the President for putting down foes to the Central Government, hence in every village, town and city military organizations were being raised. San José was not behindhand. Names were being enrolled for soldiers' duty; a meeting was held in the City Hall, May 30th; and on June 20th the following gentlemen were elected officers and non-commissioned officers of the San José Volunteers: Hugh A. Gourley, Captain; John Martin, First Lieutenant; D. C. Vestal, Second Lieutenant; S. C. Thomas, Third Lieutenant; M. Pulaski, First Sergeant; J. H. Murphy, Second Sergeant; E. Pomeroy, Third Sergeant; T. J. Cuiston, Fourth Sergeant; John Mulholland, First Corporal; William M. Owen, Second Corporal; David Downer, Third Corporal; Randolph Leavenworth, Fourth Corporal. The celebration of the Fourth of July in this year is looked upon as one of the most enthusiastic that ever occurred in the city; and yet it was marred by a painful accident whereby Lieutenant Martin and Messrs. Gourley and Edward Morton, of the Volunteers, were injured while firing a national salute. The *Mercury*, of July 11th, says: "It is the opinion of the Mayor that since the appointment of the regular police the morals of this city have greatly improved. Particular attention is given to restricting vile language in the streets by men who have no regard for their own decency or that of any one else. There are also fewer drunks than formerly; and the Mayor is of opinion that rowdyism generally is on the decline."

About this period the School Fund of the city was found to be insufficient to meet the current expenses of the schools, while some of the teachers had taught for five months without receiving any part of their stipulated compensation. The school-houses were also in need of repairs, cleaning and alteration, yet these could not be effected for want of money in the Treasury. In view of such a deplorable state of things, the Board of Education felt it incumbent upon them to investigate into the cause of such embarrassment, and for this purpose, appointed a committee to ascertain the facts, in relation thereto, and make them public. The committee so appointed, reported as follows: "The Common Council of the city, in March last, saw fit to appropriate the school funds for other purposes than that of

sustaining the schools, by the following certificate of an ordinance in the Treasurer's possession: Copy of the City Clerk's certificate:—'San José, January 12, 1861. An Ordinance authorizing the City Clerk to transfer from the Common School Contingent Fund the sum of five hundred dollars to the Common School Fund. Passed—Ayes, Shearer, Holloway, Gavitt and Lowe; Nays, none. * * March 4, 1861. An Ordinance transferring the sum of one thousand dollars from the Common School Contingent Fund, to the General Fund, to pay and discharge all warrants drawn upon the General Fund. Passed—Ayes, Shearer, Holloway, Gavitt and Putney; Nays, none. * * I certify that the above is true and correct, and that such ordinances were passed, as per date, by the Common Council of the city of San José, and approved by the Mayor. [L. S.] JAMES V. TISDAL, City Clerk.'

"Now the ordinance for the transferring of the funds, as appears from the City Records, is dated ten days later than the above certificate of Mr. Tisdal's, and includes two sections more than he saw fit to communicate to the Treasurer; though he attests, as a city officer, to the correctness of the same, and he also attests that it was approved by the Mayor; when, as it appears, it was not so approved. After the money had been drawn out of the Treasury, Mayor Buckner, it would appear, signed the ordinance, of which the following is a copy: 'Be it ordained by the Mayor and Common Council of the city of San José: Section 1. That the City Treasurer be and is hereby authorized and required to transfer from the Common School Contingent Fund, to the General Fund, the sum of one thousand dollars. Section 2. That the City Treasurer be and is hereby required to use said money, so transferred, to pay and discharge all warrants drawn upon the General Fund. Section 3. That the Treasurer be also further authorized and required to restore to said Common School Contingent Fund the amount hereby drawn from the same, so soon as the same shall have accumulated in the General Fund. Approved, March 14, 1861. R. B. BUCKNER, Mayor. Attest JAMES V. TISDAL, Clerk.'

"But the principal circumstances in the whole of this transaction is, that of the School Fund being appropriated by the Mayor and Common Council to other than their legitimate purposes; and, as we are satisfactorily convinced, contrary to law. It is true that the last section of the above ordinance, if it had been communicated to the Treasurer, makes some show of providing for the restoration of the money, but, even now, when he is apprised (unofficially) of the facts, the money, so far from being restored, is never likely to be; for individuals of the present Council, and probably also the Treasurer, think that other appropriations must continue to be drawn from the General Fund until a thousand dollars shall have accumulated therein; which is not likely to be the case for years to come.

"R. P. THOMPSON. DAVIS DEVINE. CHARLES MOODY."

On August 1st, Appleton's, formerly the City Hotel, was totally destroyed

by fire. It may be remembered as the one which stood on First street nearly opposite the Mansion House. The fire companies labored well but with no avail. On August 8th, it is announced in the *Mercury* that W. T. Wallace had, on the 3d, presented the Department, through the Chief Engineer, J. B. Hewson, a donation of one thousand dollars. On the evening of the 23d October, the steam-boiler of Bassham's Mill exploded, causing considerable damage; the premises were, however, soon repaired with no delay to business. On the evening of December 24, 1861, the streets were generally lighted for the first time with gas.

1862.—Early in this year it was said of San José, that "its streets are wide, its fountains of pure water refreshing, and its orchards, gardens and vineyards, render it fit to be the residence of gods. It has numerous hotels for the accommodation of the sojourner, where the good things of this life are dealt out to the hungry traveler; it has two newspapers, several flourishing schools and colleges, and bids fair to become the Athens of the Pacific."

In the month of March small-pox prevailed to a considerable degree, when, by order of the Council, the public schools were closed. Many deaths, principally among the poorer classes, occurred; while, as if to verify the truth of the adage in regard to misfortunes never coming singly, the city and district had been visited by serious floods that caused a great deal of damage.

A meeting of citizens was held in the City Hall, January 25, 1862, to deliberate upon the necessary steps to induce the Legislature to restore the State capital to San José. C. T. Ryland was Chairman and J. J. Owen, Secretary. April 14th, the municipality was elected as under: Mayor, Joseph W. Johnson; Common Council, Adam Holloway, Thomas Bodley, C. D. Cheney, E. J. Wilcox, W. O'Donnell; Marshal, W. L. Patterson; Assessor, S. Worsley Smith; Superintendent of Public schools, Rev. L. Hamilton; Clerk, James R. Lowe, Jr.; Treasurer, Levi P. Peck; Surveyor, Charles T. Healy; Attorney, A. C. Campbell. Mr. Lowe resigned the Clerkship of the Council July 26th and was succeeded by James V. Tisdal. June 6th, the Alameda Turnpike Road Company was incorporated, and during the Summer and Fall, the Alameda road was repaired and a toll-gate erected thereon near the Fair-ground. This road was completed on the 1st of November at a cost of twenty-eight thousand six hundred and eighty-five dollars and eighty-one cents. The toll-gate was removed and the road made free to all in July, 1868.

Early in the month of June, 1862, it was found that Jasper D. Gunn, ex-City Marshal, who had held the office for five years, had absconded after embezzling two thousand seven hundred and sixty-three dollars, forty-eight cents. Gunn was afterwards tried and acquitted: in the month of December, however, legal proceedings were ordered to be instituted against his bondsmen.

On July 28, 1862, the San José Institute and Commercial College was opened with one hundred and twenty-five pupils. The establishment was under the direction of Professors Gates and D. D. Owen; the Faculty comprised, besides these, the names of Mrs. Gates, Miss Hattie De Puy and Miss Carrie Rhodes; while the lecturers in the Business Department were, on Accounts, D. D. Owen, A. M.; on Commercial Law, Hon. A. L. Rhodes; on Business Customs, Hon. J. J. Owen. The Trustees of the institution were Major S. J. Hensley, L. Archer, Hon. A. L. Rhodes, Josiah Belden, Thomas Fallon, Rev. S. S. Etheridge, Dr. J. C. Cobb, Rev. L. Hamilton, Hon. J. H. Moore, C. W. Pomeroy, E. Auzeais, James Lick, Hon. C. P. Hester.

September 30, 1862, the following gentlemen were elected officers of the San José Zouaves: Captain George H. Hare; Lieutenants—First, C. L. Yates; Second, A. W. White; Third, C. H. Pomeroy; Sergeants—First, Milton Campbell; Second, P. C. Calder; Third, Samuel Morris; Fourth, W. W. Wright; Corporals—First, E. E. Seymour; Second, E. Harris; Third, Wm. Corbusier; Fourth, George Pomeroy.

From the report of the School Marshal of San José published in November, 1862, we obtain the following statistics: Number of children under four years of age, four hundred and fifty-one; boys over four and under eighteen, four hundred forty-four; girls over four and under eighteen, three hundred and nine-two; whole number over eighteen and under twenty-one, forty; Total, one thousand three hundred and twenty-seven, of these nine hundred and six were born in California. The largest number of children found in one family was ten; in another family there were five under four years of age—all single births and children of one mother. There were no deaf and dumb, and but one blind person in the city.

During the year 1862 great improvements were made in all parts of the city, the bountiful rains which fell in proper season having given life and activity to the country. The streets presented a brisk business appearance; produce of every kind came pouring in from the valley, the teams conveying it blocking up the main thoroughfares by their number. Saturdays commenced to assume an active look while crops were good; the value of land had increased; city property was worth more than it had been, and the community was jubilant.

1863.—In the month of January of this year the outstanding bonds against the city amounted to some twenty-five thousand dollars, there being in the Treasury four thousand dollars, and in the hands of the Commissioners three thousand dollars.

On the 7th April William T. Wallace was authorized to take proceedings and recover certain school lots for a consideration, the fee amounting to no less a sum than eight thousand dollars—a retainer which called forth much adverse criticism at the time; while, at the election held on the 13th of the

same month the old municipality gave place to the former one, as follows: Mayor, J. A. Quimby; Common Council, C. W. Pomeroy, Jesse Hobson, John Bonner, C. Yates, D. J. Porter, L. Wagenheimer; Marshal, J. C. Potter Clerk, J. T. Colahan; Treasurer, D. B. Moody; Superintendent of schools, Rev. L. Hamilton. On the 20th April the Mayor addressed the following exhaustive message to the Common Council:—

“By the provisions of our City Charter, you are enjoined to meet on the Monday following our city election, to transact such business as may come before you. The nature and extent of that business can only be determined by a thorough knowledge of city affairs. All of us are newly elected to the positions we occupy and it cannot be expected that we should comprehend so fully the entire conditions of our city affairs, as we shall when all the departments pertaining thereto are thoroughly investigated and brought under your supervision. You have been elected by your fellow-citizens, relying upon your reputed integrity and business qualifications, to fill these positions; and arduous and unpleasant as the performance of these duties may be, you will need no incentive more urgent, and at the same time more inviting, than the conviction that you are entirely identified with every interest, social, moral, pecuniary, and municipal, vested in and surrounding us. Let us then put our hands diligently to the work set before us, and as citizens who intelligently comprehend our whole duty, faithfully and fearlessly discharge it; so that when our terms of office shall have expired, the good-will of a *now* expectant people shall go with us. As a preliminary to the attainment of these ends let every officer in every department of our municipality minutely investigate the present condition of his office, and report the same to Your Honorable Body, at the earliest moment, in order that not only ourselves, but every interested citizen can be as familiar with our municipal and fiscal condition, as he is, or ought to be, with his own pecuniary affairs.

“And, gentlemen, I also feel it my duty to call your attention to the last important act of the retiring Council in relation to an agreement entered into with Attorney Wallace for the recovery of certain lots and land known as school lots and land in and out of the city limits. The tenure by which these lots and land are now held is known to you all. It is known that the city did adopt preliminary measures to set apart this land for school purposes; *but*, it is farther known, that all the acts of our city government from that time up to the action of our late Council, have been of such a character as to afford the most undoubted evidence it did not consider that ‘setting apart’ of said lots and land as legal or morally binding upon itself; hence, they had taxed them, and caused them to be sold for the payment of taxes. The Common Council and the Commissioners of the Funded Debt (legislatively authorized to sell city land), have sold, and by deed, vested individ-

uals with full ownership of a large part of this land, and so far as *plighted faith* and the sacredness of moral obligations can be binding upon a municipality like ours, the individual rights to this land and these lots—thus derived, vested and secured—ought to be held forever, undoubted and inviolate. To this end it were needless to ask the early action of Your Honorable Body. The community by whom you were elected at the ballot-box demands it. The citizens, whose every dollar has been expended in the improvement of these lots and land, making thereon a home for themselves and families, demand it. More than this, the moral sentiment of nearly our whole community, seeing this contract for the violation of individual rights—this threatened litigation, producing hatred and lasting animosities, not only between our citizens, but between our city government and those from whom our city government derives its support—demands that this contract shall be cancelled. A contract not only in violation of plighted faith, moral obligations, and an outrage of individual rights, but a palpable violation of the spirit and letter of our City Charter.

"Our City Charter provides: 'That the Common Council shall create no debt upon the credit of the city.' The agreement with Attorney Wallace, first premises that certain persons have entered upon said lots and refuse to render up possession,—then agrees to give Attorney Wallace fifty per cent. of the value of said lots for their recovery by law, provided the penalty does not exceed eight thousand dollars; and further agrees with said attorney that the city shall make no arrangement, adjustment or compromise with person or persons holding said lots, but if so made, the compensation of said attorney shall remain payable in like manner as though no settlement had been made. Here, then, is a contract entered into by the Common Council with Attorney Wallace by which the city is bound to pay eight thousand dollars. Notwithstanding this wise provision of our City Charter, we have, according to the reports of the outgoing officers, a Floating Debt of over six thousand dollars, created, as we are told, for the purpose of defraying the necessary expenses of our city government. Either the provision of our charter which says, 'the Common Council shall create no debt upon the credit of the city,' means something or nothing. If it means anything, it means that when the fixed revenue of the city shall prove inadequate to meet the current expenses, the tax-paying citizens shall determine by vote, at the ballot-box, whether money shall be raised or not. It never contemplated the 'creation of debt' without first providing the means of paying. This provision cancels the obligation before it is in force, and, strictly, there is no debt. We have then, a created Floating Debt of over six thousand dollars, contracted for city purposes, and yet, the tax-paying citizen has not been notified by the Common Council, in the prescribed way, that a necessity existed for additional taxes to defray the current expenses of our city government. It can hardly admit

of any other construction than that this indebtedness has been created in violation of our City Charter. Again, the contract with Attorney Wallace agrees to the creation of a debt of eight thousand dollars. The Common Council, before they could make this contract binding on the city, should have published the object of incurring this indebtedness, and submitted it to a vote of the tax-paying citizens;—*but no vote was submitted*. Every consideration, then, of justice to individuals, and every obligation we are under, by virtue of our oath of office to conform strictly to the letter and spirit of the charter, by which we are vested with official powers, demands that this agreement with Attorney Wallace be considered *null and void*. The time, way, and manner of your action in the premises, will be best determined by your wisdom and undoubted ability to fill the positions you occupy.

“In conclusion, gentlemen, allow me to say, that on all and every occasion of our meetings, it shall be my object to promote the utmost harmony of feeling and action, so that socially we shall mix pleasure with the onerous discharge of our official duties, and, trusting that an All-wise Providence will guide and protect us in our humble spheres of action, we will commence our labors, confident, at least, that we shall endeavor to merit our own commendation, and that our watchful fellow-citizens will not withhold theirs if merited by us.”

In regard to the foregoing a committee was appointed to consult with Judge Wallace, and at the meeting held May 4th, the following preamble and resolutions were adopted: “WHEREAS, The late Common Council of the city of San José did, on the eighth day of April, 1863, enter into a contract with William T. Wallace for the recovery of certain lots and land known as ‘school lots’ and land; and, whereas, by the action of preceding Councils, together with the acts of the Commissioners of the Funded Debt, separately and jointly, a large portion of these lots and this land have and has been sold, and by deed conveyed to individuals, citizens of said city; and, whereas, the good faith of the city is pledged to the validity of said sales and transfers by deed; and, whereas, by the condition of said contract with the said William T. Wallace, attorney, the city as plaintiff to prosecute for the recovery of said lots and land: *Therefore be it Resolved*, by the Mayor and Common Council of the City of San José, that they deem said contract a violation of *good faith*, justice, law, and equity, as also of the provisions of the City Charter: and that they will not hold themselves in their municipal capacity bound by any of the conditions set forth in said contract with said Wallace.” In reference to the foregoing, suit was brought against the city by General Wallace, and on June 8th the sum of two hundred and fifty dollars was directed to be set apart to meet the expenses in defending the action; on the same date, on the suggestion of the Finance Committee, the accompanying address was sent to the citizens of San José:—

"The Common Council of your city feel it a duty incumbent upon them to address you in reference to the financial affairs of our city; and in doing so we will endeavor to lay the whole subject before you in so plain and simple a manner that each citizen may fully comprehend, and be able to form his own conclusions as to what may be his duty—also the duty of the Common Council—under the circumstances in which we find the city now placed.

"We attach to this address a list of accounts approved by the former Council amounting to the sum of six thousand three hundred and thirty-nine dollars and thirty nine cents. The records of these proceedings show that such claims were created, and that, for at least some portion of these demands, the city has received valuable consideration.

"We also have claims presented to us, originating under the auspices of the former Council, amounting to the sum of two thousand six hundred and ninety-eight dollars, some portion of which we are convinced are just and equitable, making a total of nine thousand and thirty-seven dollars and thirty-nine cents. We also have, in addition to all these, a prospective claim of eight thousand dollars on account of the school land operation of our former Council and General Wallace.

"We predicate receipts in the Treasury for the fiscal year, for general purposes as follows:—

"On account of taxes on real and personal property	\$ 6,960 00
"Licenses and other sources	8,924 00

"Total receipts for general purposes	\$15,884 00
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"The expenditures for the same period of time, are set down as follows:—

"For general purposes	\$ 6,000 00
"Interest	2,400 00
"Sinking Fund	4,000 00

"Total	\$12,400 00
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"In the above estimate of receipts we should, probably, have added the amount of the defalcations of the late absconding Marshal. * * In the above estimate of expenditures we have not taken into consideration the amounts that may be required in prosecuting the suits instituted by the city against Gunn and his sureties, and also in defending the city in such suits as are or may be instituted against it by those of its citizens holding real or imaginary claims. We mention these items, and leave the subject for each to form his own conclusions. Aside from these claims, the revenue for general purposes, after meeting all the usual demands, would leave a balance of three thousand four hundred and eighty-four dollars in the Treasury, which can be applied to the payment of these claims, provided the

same, or quite a portion of it, will not be required to defend the city against vexatious or tortuous suits. A special tax of one-fourth of one per cent. upon the taxable property within the city would yield a revenue of from three thousand six hundred to four thousand dollars, which amounts together, if left untrammelled, would nearly or quite pay every dollar's worth of equitable claims against the city." July 14th an ordinance to levy a special tax of one-fifth of one per cent. was passed over the Mayor's veto by the following vote: Ayes—Bonner, Hobson, Wagenheimer, Porter, and Pomeroy; No—Yates. The election to test the question was held August 3d, when one hundred and five votes were cast for the special tax, and one hundred and thirty-eight against it.

On May 11th, J. C. Potter was selected to be Chief Engineer of the Fire Department; on the 25th, some frame buildings on the west side of First street, opposite what was then known as Archer alley, were destroyed by fire. After having been stopped for nearly three-quarters of a year, by General Wright, the *San José Tribune* made its re-appearance May 25th. About this time, the building on the north-east corner of Market and El Dorado streets was rented as a Court House, and so occupied until the completion of the new one, in 1868; and, June 4th, permission was granted to Trinity Parish to erect a Protestant Episcopal church on lot one, block two, range two north—the corner of Second and St. John streets; while, at this period, the erection of the Presbyterian church on Second street was being proceeded with, the corner-stone having been laid June 14, 1863. On the morning of June 19th, a destructive fire broke out in certain wooden buildings on the north side of Santa Clara street, between Market and First streets; the principal sufferers were a fruit-dealer, named George, five hundred dollars; J. C. Koppel, cigar and tobacco dealer, three thousand dollars; Gerdes & Tiemeyer, proprietors of Bella Union, about three thousand dollars; Zuckerman, watchmaker, one hundred and fifty dollars; C. Humbert, Bella Union Restaurant, two thousand dollars; J. H. Heering, photographer, twelve hundred dollars. The Fourth of July was celebrated this year with much enthusiasm, though it was unhappily attended with a severe accident to David Piercy, a young man, and member of the "Zouaves," who was seriously injured by the premature discharge of a cannon.

On July 9, 1863, we learn of the organization of a company of Light Artillery, with the following officers: Captain, S. O. Houghton; Senior First Lieutenant, C. T. Healy; Junior First Lieutenant, J. Wiegert; Senior Second Lieutenant, Nathan B. Edwards; Junior Second Lieutenant, Edmund Ladd. The company had one hundred and fourteen names on its muster-roll; while, at that period, Mr. Lyon had commenced the building of his residence opposite the Episcopal church, and Tyler Beach was then erecting the St. James Hotel. On the night of Friday, August 14th, Walteufel's book store,

on Market street, was damaged by fire, to the extent of five thousand dollars, evidently the work of an incendiary, as the shutters to the back door were found to be open, and about eighty dollars in silver was missed from the till. Splendid show-cases, countless pictures, and a large quantity of books and stationery were completely ruined. On the 12th September, the first number of the *Weekly Patriot* was issued by the editor and proprietor, F. B. Murdoch. In the month of October, Levi Millard commenced running a four-horse omnibus between McCarthysville (Saratoga), and San José, by way of Santa Clara; on the 10th December, the famous wit, Artemus Ward (C. F. Browne) enlightened the good citizens on the topic of "The Babes in the Wood;" and on the 19th of the month, the residents were severely shaken by an earthquake.

During the year 1863, besides the churches mentioned above, there were erected, Clement's three-storied block, on Market street, King & Knoche's fine block, on first street; the Auzerais House, on the burnt district on Santa Clara street; Welch's large brick stable on First street; and the railroad depot near San Pedro street, besides several private dwellings. It was thought that during the last half of the year at least fifty buildings had been completed. It is needless to say that San José was in a prosperous condition.

1864.—The cry of "long-looked-for, come at last," fulfilled itself in this year. The railroad had actually become an accomplished fact. Towards the end of the last year, it had crossed the county line. On the 6th of January, at a meeting of the citizens held at the Crandell Hotel, the Mayor presiding, and F. B. Murdoch, Secretary, it was resolved "that in honor of the completion of the San Francisco and San José Railroad, the citizens of Santa Clara county will give a free entertainment on Saturday, January 16, 1864, at 12 m., to the public generally, and that they will cordially invite the officers of the Railroad Company, the Mayor and Board of Supervisors of San Francisco, and citizens of San Francisco city and county to join with them in celebrating the day." In accordance with this resolution, Messrs. L. Archer, Thomas Fallon, A. Pfister, E. McGowan, and L. C. Bostick, were appointed a committee to carry out the object of the meeting. On the day named, January 16, 1864, a vast concourse of people assembled to welcome the first passenger train that had traversed the entire line between San José and San Francisco, which was received with every demonstration of joy. An address was delivered by Mayor Quimby, to which the President of the road, Judge Dame replied; resolutions were read by Mr. Archer; speeches made by the Hon. T. J. Phelps, and others; a grand procession took place; after all of which a "free and bounteous" repast was served to the multitude. Well might it be a day of great rejoicing. But a few years before, and the entire valley was a waste of uncultivated lands. Now, turn in whatever direc-

tion you may, and the eye rests upon green lawns, and flowering gardens. At last comes the shrill whistle of the locomotive, echoing back from mountain and from crag, and rolling through the rocky cañons, carrying in its sound an incontestible proof of American enterprise, foresight, and determination.

Among all the prospects of the future on which the mind of man is engrossed, unlooked-for death occasionally steals in to prove that we are but mortal. On February 6, 1864, there died in San José one of her most esteemed and worthy citizens. Sheriff James F. Kennedy breathed his last while undergoing an operation for the removal of a tumor from one of his shoulders. His term of office had but four weeks more to run ere expiration. Of this gentleman the *Mercury* remarks: He had always taken a deep interest in all matters pertaining to the public weal, and was closely identified with the success and prosperity of Santa Clara county. He was also much interested in the military organization of the State, having been commissioned by the Governor, as Colonel of the State Militia; he held this rank at the time of his death. Mr. Kennedy was once a nominee for the office of Lieutenant Governor of California, on the Republican ticket, but was defeated. In his intercourse with men he was social and friendly; his nature was softened by kindness and affability, and was, what may be summed up in three words—a good man.

On February 18, 1864, the first Rector of Trinity Parish breathed his last. The Rev. Mr. Etheridge came to San José when members of the Episcopal Church were much scattered, but, notwithstanding his delicate health, he labored earnestly until he brought them together and formed the parish. Permission having been obtained from the Mayor and Common Council of the city, Mr. Etheridge was buried under the chancel of the church, at the foot of the altar. The ceremonies, attending the obsequies, conducted by the Right Reverend Bishop Kip, and the Reverends T. W. Brotherton, F. Marion McAllister, Giles A. Easton, J. H. Gassman, and T. A. Hyland, were both solemn and impressive. He came here, a stranger, when there was but little interest exhibited in this vicinity for the Holy Church Universal, and his first sermon, on the First Sunday in Advent, 1860, to the few of the church who heard it, may be said to be the advent of the church in this place.

“So live that when thy summons comes to join
The innumerable caravan that moves
To the pale realms of shade, where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry slave, at night
Scourged to his dungeon; but sustained and soothed
By an unfaltering trust, approach thy grave
Like one who wraps the drapery of his couch
About him and lies down to pleasant dreams.”

Friday, the 26th February, will be remembered as the occasion of a shock of an earthquake, the like of which had not been experienced for years. Indeed two distinct shocks were felt, causing those who were asleep to be aroused from their slumbers, dishes to rattle, door-bells to ring, wooden frames to creak and snap, cocks to crow, dogs to bark, and a general consternation to ensue. The proverbial oldest inhabitant had never experienced so severe an oscillation, but no damage was done save the widening of a few cracks in some of the buildings.

April 11, 1864, the following city officers were elected: Mayor, John A. Quimby; Marshal, J. C. Potter; Clerk, J. T. Colahan; Treasurer, D. B. Moody; Superintendent of Schools, Rev. L. Hamilton; Common Council, J. M. Cory, Jesse Hobson, John Bonner, the remaining members holding over. Mr. Hamilton resigned his position, November 10th, and was succeeded by Wesley Tonner.

May 2d, of this year, Donald McKenzie was granted permission to erect a large reservoir, and lay down pipes through the principal streets of the city, for the purpose of furnishing the public with water, as also to keep the various municipal cisterns constantly filled in case of fire.

San José, with its vineyards, gardens, and orchards, was, at this period, described by a visitor, as undoubtedly the prettiest place in California; but this was not all, for its future was full of hope and developing splendor. The railroad had placed its destiny beyond mere probability; and the citizens were availing themselves of the advantage. Notwithstanding an unpropitious season had distressed the farmers, business was active; improvements had been going on almost recklessly. On one of the streets, formerly occupied by Jew shops, Auzerai's magnificent hotel, lifts up its stately front of one hundred and fifty feet, with architectural decorations equal to San Francisco. The huge building cost one hundred thousand dollars and more. The Sisters of Notre Dame had cleared away the old wooden buildings, and erected a splendid structure—an immense building and constructed with exquisite taste. The new San José Hotel, costing fifty thousand dollars, was just opened and astonished its visitors with its style and elegance. The railroad depot, and numerous stately private residences attested the wonderful march of improvement following the track of the iron horse. A joint-stock company was commencing to build a Masonic and Odd Fellows' Hall, at a cost of fifty thousand dollars. The streets had been opened and beautifully graded and ornamented. A turnpike, costing nearly thirty thousand dollars, had been constructed to Santa Clara—in short progress was the recognized watchword, and what it has done speaks for itself.

On the evening of Friday, July 15, 1864, the city was thrown into a high state of excitement by the news of a terrible encounter between a Sheriff's force, under the command of Sheriff J. H. Adams, and a party of

highwaymen, within a mile and a half of San José, in which one man was reported killed and several others badly wounded.

It may be remembered that a few weeks prior to this date a stage robbery had been committed near Placerville, and that two of the conveyances were stopped by a party of six highwaymen, and Wells, Fargo & Co.'s Express robbed of several hundred pounds of silver bullion. The party represented themselves as Southern gentlemen, acting under the authority of the Confederate Government, and their Captain (Ralph Henry *alias* Ingraham) gave a receipt for the treasure in behalf of the Confederacy. In a day or two after the robbery, Officer Staples, of El Dorado county, came upon the gang at a house in the mountains, and, without sufficient assistance, attempted to arrest them. He was killed in the attempt. One of the robbers named Poole was wounded in the *mêlée* and captured, the rest making their escape. The captive made a clean breast of the whole affair, gave personal descriptions of John Clendening, George Baker, John Creal, Ab. Gillespie, and Ralph Henry, and these were confirmed by a woman living in the house where the encounter occurred.

On the night of Thursday, July 14th, between nine and ten o'clock in the evening, three men called at the house of a Mr. Hill, on the Almaden road, and asked permission to remain over night, stating that they were looking for some friends whom they expected to pass that way. Mr. Hill directed them to an unoccupied building close by, saying that if they could put up with such accommodation they were welcome to the use of the building. They remained there that night and all the next day (Friday). Thinking their actions somewhat suspicious, and acting upon the advice of a friend, Mr. Hill came to San José and informed the authorities of the circumstances. The Sheriff immediately organized a *posse*, consisting of Deputy Sheriff's G. W. Reynolds, Fred. Morris, and J. Brownlee, Marshal Potter, Constable Scott, and citizens C. N. Senter, E. W. Wiles, Bowman and Gould, and proceeded at once to the place indicated, where they arrived just at night. The party surrounded the house, and Sheriff Adams demanded the robbers to come out and deliver themselves up. They had resolved to sell their lives dearly, and, rushing out, commenced firing promiscuously at the officers, who were also well armed, and returned their fire briskly. John Creal, named above, received two or three shots, either of which would have caused his death. He was brought into town and lodged in jail, where he died about half an hour afterwards. His name was John Creal Bouldware. Ab. Gillespie or Glasby, another of the gang, received seven shots through his clothing, had the handle of his pistol shot away, and yet escaped bodily harm. He was overpowered and secured. Clendening, after firing twice point blank at Captain Adams, and receiving a settler in return, leaped over a fence and fled in the direction of The Willows, where he was found about mid-

night in a dying condition by Under-sheriff R. B. Hall and J. R. Lowe, Jr. of another party, who went in search for him, the Sheriff believing him to be badly wounded. He was taken to the county jail, where he survived until the following night.

One of the shots from Clendening's pistol, aimed directly at Captain Adams' heart, struck a watch in the pocket of his vest, breaking off the shank and bending in the edge of the watch, then glancing into his body, bruised a rib, and made a bad wound, from which was extracted the ball with a portion of his shirt; Brownlee received two flesh wounds in the legs. Creal fired eight shots before he fell, and was attempting to use his pistol after he was down, when he was disarmed by Mr. Reynolds, and Clendening, when found in the bush, had two revolvers on his person, and a bag containing a hundred dollars or more in gold-dust, while the others had about one hundred and sixty dollars in coin about them. Their object was thought to be to rob the stage to the New Almaden mine when returning with treasure to pay the miners.

Another of this band named John Grant, who had had some difficulty with the Captain, determined to carry on the business of highway robbery on his own account. He was last seen in the vicinity of San Juan. A young woman with whom Grant was on intimate terms, residing near Forbes' mill (Los Gatos), received a letter from him in which he informed her he would pay her a visit, a short time thereafter, on his way to Sonora.

Having possessed himself of this information, it matters not how, Under-sheriff Hall, who had been on his track, placed spies upon the roads leading to the premises, who watched for two days and two nights. On the 8th August, Grant came, and after spending the evening with his female acquaintance, went to the house of a neighbor to pass the night. About midnight (the 8th and 9th) Hall, accompanied by Charles Potter and John Ward, started for the place, and surrounding the house quietly waited the break of day. As soon as it was light enough to make sure of their game, the outside door was opened from within by one of the family friendly to the Sheriff's *posse*, and who knew of their presence. Mr. Hall, followed by Potter and Ward, rushed in and seized their man while in bed and yet asleep. Two revolvers and a bowie-knife were taken from under his head. He was then ordered to get up and dress, after which he was handcuffed. Supposing all further resistance or danger over, the officers relaxed their vigilance. Hall, on entering the prisoner's sleeping-room, had a double-barreled shotgun in his hands, but observing the condition of things, instantly set the gun down and pinioned the sleeper as has been stated. As the party were preparing to leave, Grant, with the quickness of thought, although handcuffed, seized the gun and rushed for the door, with Hall after him, the former in the meantime endeavoring to raise the gun and fire backward over

his shoulder at his pursuer, which he found it difficult to do with his manacled wrists. As he reached the outer door, after passing from the bed-room and through a hall, the officer seized him by the collar of his coat, and swung him partly round. At this instant he was shot by some one of the party in the house firing both barrels of a shot-gun simultaneously; the charge taking effect in the lower part of the back brought the prisoner to the ground. He was then placed in a carriage, brought to San José and lodged in jail.

On the 19th August, Under-sheriff R. B. Hall, accompanied by Messrs. Hawkins and Anderson of San José and Constable Miller of San Juan, arrested R. F. Hall, at his ranch in the San Juan mountains below Gilroy. He was charged with being an accessory of the San Juan stage robbers, and admitted that he had secreted Grant and his confederate on the night of July 5th, when they committed the first robbery, until the 9th, when they robbed the second stage. Hall was examined before a Justice of the Peace in San Juan, and in default of bail was sent to the Monterey jail. His wife, an intelligent woman, who was aware of these facts, on being questioned by the the Sheriff, aside from her husband, as to the offense against the laws for harboring robbers, is said to have observed: "Suppose you, Mr. Sheriff, knew of a band of two hundred and fifty desperate men, bound together by the most solemn oaths, sworn to take the life of any person who should disclose their purposes, or betray any of their number into the hands of the officers of the law; and suppose two of their number should seek the shelter of your roof, as did those men who robbed the stages, what would you do in the premises?"

On August 28, 1864, the new Presbyterian church was dedicated, the sermon being preached by the Rev. Mr. Walsworth, of Oakland.

It only remains for us to observe, in regard to the year 1864, that the prosperity of the city was still on the increase, while she had assumed an air of elegance which was fast making her become the glory of her citizens.

1865.—The first item of interest in this year was the opening of the Auzeais House to the public on March 16, 1865, since which time it has maintained its standard of rare excellence.

April 10, 1865, the charter election was held with the following result: Mayor, John A. Quimby; Common Council, D. J. Porter, L. Wagenheimer, C. W. Pomeroy, and three others holding over; Clerk, John T. Colahan; Treasurer, Chapman Yates; Superintendent of Schools, D. S. Payne.

Upon his resuming the Civic Chair, His Honor Mayor Quimby addressed the following most interesting message to the Common Council which we reproduce as showing the effective services rendered to the city by that gentleman and his *confrères*:—

"On entering again upon our second and third terms of municipal office,



Michael Cahalan

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it is not unfitting, even in our humble spheres of duty, to acknowledge our gratitude to that protective Providence which has again permitted us to commence another official year; trusting that the harmony of thought and action, centered upon the welfare of a municipality whose interests we were elected to serve and secure, may be unbroken through the year to come, so that when your official terms shall have ended the people by whom you were elected shall not be made to feel that their confidence in your integrity and ability to serve them was misplaced or unmerited.

"Two years ago the executive and administrative affairs of this city were intrusted to the care of most of us now present. Let us make a brief review of the then existing, and our now present condition, in order that the people and the tax-payers may know what was, and now is, that condition. Financially, the situation was almost inexplicable, and utterly deplorable. The General Fund, for which the current expenses of our city government should have been promptly paid as soon as incurred was burdened with a debt amounting to nine thousand five hundred and forty-four dollars and eighty cents, and anxious creditors drawing their warrants on the Treasury, in the order of their issuance, were thankful, if after months of waiting, their time and turn of payment luckily arrived. In my previous message to you, the great wrong and illegality of this condition was fully discussed. It needs no argument now to justify you to the people, that your interpretation of the law as well as your adhesion to the rules of good sense and utility, forbade the 'creation of debts,' and directed you to incur no liabilities beyond the means of liquidation in the Treasury. You have done more than this. Not only has every liability incurred during your administration been promptly paid, but the Floating Debt, amounting to the sum before mentioned, has been nearly half liquidated, there only remaining unpaid in certificates of indebtedness against the city, five thousand three hundred and thirty-five dollars. Of the Funded Debt, there remained at the commencement of your administration outstanding bonds amounting to ten thousand five hundred dollars, and the full amount of the interest due on these bonds in July next is now set apart in the Treasury. It will be seen, then, by the accurate reports of the City Clerk and Treasurer, together with his summary, that every department of our city government has been kept in a solvent, healthy, prosperous and progressive condition, notwithstanding the constant and large expenditure of money on our streets, and squares, and bridges—notwithstanding the large amount of money used, and being used, in the payment of our predecessor's debts, every fund in our Treasury is more than equal to the demands against it. It will also be seen by the forthcoming Report of the Treasurer of the Commissioners of the Funded Debt that with the amount of money they have now on hand, together with the individual obligations for the payment of money for city lands sold, that before this fiscal

year shall have ended every dollar of our Funded Debt can be paid, there only remaining for the city to pay, the outstanding certificates of the Floating Debt, amounting to little more than five thousand dollars. An amount greater than this has yearly been set apart in the Treasury for payment on our Funded Debt and interest thereon. So that, with the present rates of taxation, we have most positive assurance in less than one year our city will occupy a most anomalous, yet gratifying position of being free from all debt.

"And now, occupying the place of the Chief Executive office of the city, perhaps for the last time in my life, I feel it my duty to enter my protest against any and all schemes which may now or hereafter involve the necessity of issuing bonds or other evidence of debt, for any object whatever. No greater argument in favor of this proposition is necessary than to refer to the large amount of interest paid on our Funded Debt. The amount now paid on the gross principal of this debt is forty-three thousand three hundred dollars; the interest paid up to date, inclusive of Treasurer's commissions is twenty-eight thousand three hundred and nineteen dollars. The amount of gross principal yet to pay is ten thousand and five hundred dollars. Add to this sum at least one thousand dollars for interest and commissions, and we find the total amount now nearly paid, directly and indirectly, from the tax-payers of the city is over eighty-three thousand dollars. It will be seen then that a large per centage of this money, raised mainly by taxes from the people, has been a continued drain upon our resources, to the benefit of capitalists; and resulting in municipal impoverishment. And what has our city now to show for this large amount of money expended? A City Hall whose crumbling walls hourly threaten destruction to its occupants. A houseless Fire Department *only effective in men*, with out-of-time and worn-out engines, and defective implements. Our streets and squares heretofore neglected, except only to the extent of individual expenditure for improvement. And yet with the amount of money absolutely drawn from the people, we should have had good Public Buildings, the Fire Department supplied with engines, and implements worthy of men willing to use them, well-graded streets, and improved and beautiful squares. It has all, or nearly all, gone to pay the principal and interest of debts created for objects of very questionable utility at the time, and which to-day are comparatively worthless to the city.

"I congratulate you, members of the Common Council, on your efforts in inaugurating a new condition in the management of the city government, never departing from the organic law of our charter. You have 'created no debts.' By your prudence, forecast and economy the old debts are nearly paid. By a just appreciation of your duties as guardians of the best interests of the city, and with energy you have commenced the work of great

improvements, and, so far as completed, paid for—and not a dollar wasted. Our squares—Washington and St. James—have been fenced; the Plaza nearly graded and ready for fencing. With your energy directed to their complete improvement, according to your adopted plans, but a short time will elapse before they will be pleasant and enticing places of resort. I know you are determined that this must and shall be done.

“The drainage of the city also demands your immediate attention. Accurate surveys should be made to ascertain the best locality for the construction of such sewerage as will most speedily allow the accumulating water from all the streets to pass away. It is now a subject of daily and just complaint that much of this water is allowed to flow, to settle and stagnate on the property and in the vicinity of many of the residents of the city. Efficient sewerage can only remedy this evil.

“The condition of our Fire Department also demands your earnest attention. With the heavy burden of debt heretofore resting upon us, it was impossible to make appropriations of money requisite for an effectual department; but with the city soon to be freed from existing liabilities, larger yearly appropriations should be made, in order that those on whom we rely for the safety and protection of our property and homes may not for a long time to come be made to feel, as they now know, the entire inadequacy of mechanical appliances for the prompt and speedy extinguishment of fire; and which, if furnished, would place this Department in grade second to none in the State.

“I would also direct your attention to the necessity of a change in the City Charter, under which streets are now graded and improved. By it two-thirds of the property-holders fronting on any given section of streets must petition the Common Council for improvements, before any work can be commenced. The results are, outside of the business portions of the city, where individuals own large and small frontage, and not feeling it to their interest to have the street improved, they have become disgracefully bad, and in the rainy season absolutely impassable. Our prosperity, as well as our growing reputation of soon becoming the second city in California, in wealth and population, and first in all the surroundings which make it the most desirable place of residence, require that all of our streets should be well graded and drained. To this end, the law should be so amended that where the Common Council determine the best interest of any locality, or of the city generally, calls for the grading or improving of any street or streets, it could at once be done. Otherwise, through the parsimony, caprice or indifference of individuals, our city will be left for years to come with deep-rutted muddy streets, stagnant pools, the noisome depositories of the city's sewerage.

“The matter of the proposed bridge across the Coyote, at the foot of Santa

Clara street, if built this season, also claims your immediate attention. It is a subject in which the city and county are mutually interested. A large, populous and producing portion of our county is, in time of flood, entirely cut off from communication with the city and other parts of the county from want of a bridge. In consideration of this fact, the Board of Supervisors have agreed to pay one-half of the whole cost of the construction of a bridge—provided the total amount does not exceed six thousand five hundred dollars—leaving an amount of three thousand two hundred and fifty dollars for the city to raise by tax or subscription, in order that the work may be commenced and completed. Not having this amount in the Treasury not otherwise prospectively appropriated, it becomes necessary, by the provisions of our charter, to call a special election and submit to the people of this city the question of Tax, or no Tax. With the amount probably to be raised by individual subscriptions, a small per centage on the assessable property of the city of less than one-fifth of one per cent. will be sufficient. I recommend the calling of this election at the earliest possible moment.

“Another subject claiming your most earnest attention is the condition of our public school. It is an imposed requirement on the part of the city to raise by tax a sufficiency of money, in addition to the amount received from the State and county funds, to keep our schools free through the year. Identified, as public schools have been, are, and must always be, with the vitalizing influences of educational equality of all the children of our common country, to give to the millions of youth who are soon to take our places a moral unity of thought, intelligence and devotion to freedom and free institutions, constitutes a subject of immeasurable importance, and one not wholly neglected by your city. Under the direction of efficient superintendence and with the earnest co-operation of the Board of Education, our schools, by the employment of the best of teachers, have made rapid progress toward that degree of excellence which entitle them to a rank equal to the best in the State. Our two public school-houses have long since been filled with scholars. The Grammar Department in Brohaska's building is also full; and at least enough of children are now waiting to fill another room, which we have not. What shall be done? We must either build or rent, to meet our present wants. I would advise an early consultation with the Board of Education in relation to this matter. There are six school lots belonging to the city. It has been suggested that four of these be kept for the location of a school building, two to be sold and the money applied to the erection of a small building. But it is a question of very doubtful utility and economy, if detached school buildings afford the cheapest, most approved, and effectual means of education. With the system of grades of classes lately adopted in our city schools, but as yet very imperfect from want of large and contiguous rooms, double the number of scholars now attending our schools could

be taught with little additional amount to that now being paid to our teachers—a saving of at least two hundred dollars per month. And as public schools have become a necessity, and their full support a certainty, strict economy in the use of money can only be attained by the adoption of such methods of education as will give to the pupils the best possible means of improvement with the least possible expenditure of public money. To place scholars in small and detached buildings, or rooms, and employing teachers for each department, is not only a waste of money but a most unmethodical means of education. But in large and contiguous rooms, with conveniently arranged recitation apartments, you have combined, the utmost economy in the use of money with the most approved facilities for education. I have called your attention to this subject more with reference to future than present action. Prospectively, the School Fund will soon be ample to furnish such a school building as our city ought to have. With the Funded Debt paid, all the surplus of money derived from the sale of city lands can be applied to this object. In the meantime, if not otherwise advised or directed by you, the Board of Education must supply themselves with adequate room for school purposes, as they, under existing circumstances, deem most advisable.

“I would call your attention to the condition of our city lands. All individual opposition to the confirmation of these lands to the city is withdrawn, and all litigation in relation thereto, except with the Government, is at an end. I would advise a more speedy and certain way of obtaining our rights to this land than by the tardy and uncertain action of courts. By a full showing of the facts in the case, by petition to Congress through our Representatives—which for some reason has been neglected—our title ought to be confirmed, and all litigation brought to an end. The amount of land claimed now by the city can be of little importance to our Government, yet it is a matter of vast importance to the settler on these lands, and the prosperity and growth of our city—depending upon agriculture entirely for its commerce—that the title to these lands be at once settled. Our Representatives ought to labor effectually in our behalf in this matter. If they fail to do so, our wide-spreading and populous valley may speak to those who will more correctly represent our true interest at Washington, after our next Congressional election.

“I have in brief called your attention to some of the wants and interests of the city. Through the past year almost entire harmony has prevailed in our Common Council. I feel confident you have left nothing undone you could have done for the true interests of the city. Another year of diligent labor lies before us. With harmony of thought and energy of action, you will inscribe your individual acts upon the fast-improving condition of our prosperous and yet-to-be beautiful city.”

On March 16, 1865, Martin Murphy, Senior, was gathered to his fathers, at the advanced age of eighty years. He came to California in the year 1844, and settled in the Santa Clara valley, where he resided until the time of his death. A more extended notice of this pioneer gentleman will be found elsewhere in this volume.

The event of greatest moment that occurred in the year 1865 was unquestionably the assassination of Abraham Lincoln in Ford's Theater, Washington, District of Columbia, by John Wilkes Booth, on the evening of the 14th April. Perhaps no calamity of a like nature had ever occurred before to any nation; is it any wonder then that the whole land was flooded with tears, and each mourned as if a father had been taken; and was not he a father to the people? In him was vested the rule and safeguard of the people, at a juncture when a wise head and a pure heart, above all, were needed; he had labored indefatigably in their behalf, was even then toiling to bring about an honorable peace, honorable to friend and foe alike, and then to be cut off in the very zenith of his power; is it any wonder, we say, that the Nation, from the Atlantic to the Pacific, wept as one household for him who had led them through the uncertain quicksands of Statecraft? In San José the intelligence of the deed was received with every public demonstration of grief. A funeral procession was held, orations made, and the following beautiful dirge from the pen of Miss Annie A. Fitzgerald was read:—

Has he fallen, our Country's Ruler?
Has he fallen, our Country's Chief?
'Mid the gloom of a Nation's mourning,
And the wail of a Nation's grief.

Has he fallen, our Country's Ruler?
O hearts that have bled and must bleed.
Has he fallen in the hour of his triumph,
And the hour of our sorest need?

Has he fallen, whose hand hath guided
Our ship through the raging waves,
Till the roar of the battle's tempest
Died low o'er its mound of graves;

Till the clouds from our skys seemed sweeping,
And the seething billows to cease,
And the light of a happier future
Dawned bright on the shores of peace?

Has he fallen, our Country's Chieftain?—
Aye, Patriot souls, to-day,
The heart in his generous bosom
Lies cold as the pulseless clay.

Oh! the ban of a Nation's hatred,
And the blight of a Nation's woe,
And the curse of a Nation's vengeance
On the hand that has laid him low.

On the hand with its fiend-like malice,
On the heart that the crime hath nursed,
On the life of the base assassin,
Let the lowering tempest burst.

Shame, shame on the soul and manhood
Of even his veriest foe,
That grudges his deadliest scorning
To the dastard that dealt the blow.

Aye, the wrath of a widowed Nation
Be poured on the guilty head;—
But shame not the name of the millions
With the blot of a crime so dread.

With the blot of so dark a murder,
With the curse of the hearts that bleed.
Nay, even the check of treason
Must blush at so foul a deed.

Droop lower, O sacred banner!
Droop lower, thy folds to-day;—
For the crimsoning blood of our Chieftain
Hath hidden thy stars away.

Droop lower, O mourning banner,
Droop low o'er our Country's breast;—
O'er the North in its widowed glory,
And the orphaned East and West.

Droop low o'er the wrongs and sorrows,
And the hopes that are passing away;—
Toll drearily, bells, your sad dirges,
Toll drearily, bells, to-day.

Pour out the deep voice of your tidings,
O sonorous cannon's deep mouth!
Weep, weep o'er our loss and thy future,
Thy bitterest tears, O South.

For never a kindlier foeman,
And never a truer chief,
Hath passed from a Nation's anguish
'Mid the wails of a Nation's grief.

Weep, North, in thy widowed glory,
For the heart that hath loved thee best,
And wail o'er your martyred father,
O, orphaned East and West.

Wail, wail for the clouds that gather
So dark o'er our stormy way;—
He has fallen, our Country's Ruler,
He has fallen, our Country's Stay.

In the month of June, 1865, a proposition was mooted to construct a horse-railroad from San José to Alviso, so as to avoid the exorbitant rates charged by the San Francisco and San José Railroad Company. Such a track, it was thought, might prove a wholesome corrective of the evils complained of. On June 17th, the special election held for the purpose of having the voice of the people in regard to the payment of a half share of the expenses in building the Coyote bridge, and providing the Department with a new fire-engine, was carried by a majority. The vote stood—Ayes, one hundred and forty-eight; Noes, forty-four. On September 11th, the right-of-way was granted to the Western (now the Central) Pacific Railroad Company, to run a track through certain streets; and November 6th, precautionary measures in regard to cholera were ordered by the Common Council.

The magnificent grounds of General Naglee, situated on the south side of Santa Clara street, were commenced to be beautified in this year. They are devoted to a private park, residence, brandy distillery, vineyard, etc., and embrace an area of about one hundred and forty acres. Of this demesne Mr. Hall, writing more than a decade since, says: "The orchard and vineyard were set out in 1858, but the greater part of the labor and improvements have been bestowed upon the grounds since the General returned from the war. The premises are tastefully divided into fields, parks, and beds, where vegetation is seen springing forth in every form. A pleasant drive winds for a mile and a half through a vineyard of an infinite variety of grapes and gracefully-hanging trees. Here and there sparkling fountains feed this little vegetable world, and give it life and continued freshness. The capacity for irrigation is large. There are seven artesian wells, which can discharge one hundred thousand gallons daily. Their full volume is not permitted to run, unless so much be needed. One of these wells feeds an artificial pond, and waters all the vegetables. It furnishes probably two hundred and fifty gallons per day.

"The exquisite flower beds are adorned with a myriad of blossoms of every light and shade; and you almost fancy that, at twilight hour, the goddesses come stealing in, to deck themselves for the festal eve. Here is the palm, the fig, the olive, the almond, and the magnolia in all its splendor; the heliotrope, fuschia, geranium, oleander, jessamine, clematis, ivy, and the century plant. Here, too, flourishes the palm from Panama; the origanum from Patagonia; the cedar from the Himalaya Mountains and from Lebanon; charming vari-

eties of cypress from China and Japan, and many from the Pacific coast. Here grows, too, in all its grandeur, the beautiful eucalyptus; and here the arching willows shade the sparkling fountains. Here fair ladies may gaze with delight at the beautiful Japanese arbors, and hedges entwined with the fragrant honey-suckle, the jessamine, the clematis, and ivy. Mexico, too, has furnished her pepper trees, with their graceful narrow-leaved boughs, to aid in the adornment of these lovely grounds.

"I observed a eucalyptus, planted in 1865, which measures fifteen inches in diameter. It is a wonderful growth, and shows how well this climate is adapted to its culture. Seventeen varieties of the acacia, and fifteen of the eucalyptus grace this forest, besides many varieties of the pine, the cyprus, the arbor-vitæ, the juniper, the palm, and the fir; also the yew, the laurel, the native nutmeg, the bay, the madrona, the manzanita, the tamarack, the Washingtonia and the New Zealand flax, have their share in forming this aboriginal host. Nor has the Monterey cypress, so grand in form, been left out of the ranks. A magnolia, planted in 1866, is now fifteen feet high, and has been blooming all Summer. A weeping willow, planted in 1858, now measures twenty-nine inches in diameter. The avenue, one thousand feet long, planted two and one-half years ago, is, on an average, thirty feet high, and the trees six or eight inches in diameter. The rapidity of the growth of these trees is truly wonderful.

"The deciduous trees, which are so very highly appreciated in the Eastern States, are continually falling by the ax of the horticulturalist, to make room for rare varieties of evergreens. This lordly estate is dotted here and there with artistic works of statuary; standing, seemingly, to guard the enchanting scene from the touch of the spoiler.

"How lovely it is to leave the city's hum, to wander in these green fields, amid the groves and pastures, near the hour of eventide; see playful children build their miniature gardens, hear the watch-dog's voice, the rippling fountains, and the merry birds warbling farewell to parting day. As one views all this, when the setting sun gilds the western sky with rose and purple tints, and floods all nature with soft and mellow light, it seems the work of enchantment.

"The premises so far described are dedicated to the pleasures of man—not profit; and yet they are a wealth to him in cultivating the finer feelings of his nature, in increasing his love for the beautiful works of the Creator, and making him what that Creator intended, a refined, intelligent man, above the sordid mind which seeks for naught but filthy lucre.

"The pecuniary profits of this estate will be derived from the culture of the grape, and the manufacture of wines and brandies. Among the one hundred and fifty varieties of grapes, here are the Peneau, the Riesling, from which Johannis wine is made, and La Folle Blanch, the only grape from

which cognac brandy is produced; all of which have been cultivated with great success, and the manufacture of wines and brandies therefrom has been equally successful. The development of the extraordinary flavor and delicacy of the wines and brandies produced here, is truly wonderful.

"The wine-house, with a capacity of one hundred thousand gallons, for completeness and condensation, with all the improvements of the present times, is unsurpassed in this or any other country.

"The first-class brandies manufactured by General Naglee are scarcely equalled, certainly not excelled, by any other in the world. The reason is apparent. The quality of the grape produced here is equal to any on the globe. These grapes are not pressed, so that the wine made therefrom contains none of the juice of the skins and seeds, nor of the stems (those portions which produce fusil oil and tannin), hence the freedom of the wine from these deleterious substances. In Europe this mode is not adopted, from the fact that wine and brandy manufacturers cannot afford it. They press the grape on the score of economy, that none of the juice may be wasted. The brandies and wines, therefore, cannot be free from the impurities already mentioned. The brandies of General Naglee only lack age. The oldest which he now possesses is nearly of the age of two years. All of his older wines and brandies were destroyed, together with the distillery, by fire, February 24, 1869. It was the work of an incendiary. His loss thereby was not less than sixty thousand dollars, having no insurance. Notwithstanding his loss, he has rebuilt the premises, making them fire-proof, and superior to the former ones. He has one wine tank, of the capacity of sixteen thousand gallons."

In the month of July, of this year, 1865, the fifty-vara lot on the northwest corner of First and Santa Clara streets was purchased by Dr. Knox, at a cost of twenty-one thousand dollars, and soon after he erected that magnificent block which bears his name, at a cost of thirty thousand more. The Knox Block is one of the most chaste and beautiful specimens of architecture in San José.

At this period, San José was, we are assured, in a moral and orderly point of view, notwithstanding the high party feeling that existed, incomparably in advance of any city or town in the State, and without a parallel on the Pacific coast. There was less gambling, drunkenness, and debauchery than in any other place in California. In regard to the facilities for education, from a primary to a thorough collegiate course, it was, and still is, without a peer on the Pacific slope of the continent, while its climate is an attraction which then was, now is, and ever shall be.

1866.—On the seventh day of January of this year, there died at the Warm Springs, Alameda county, Major Samuel J. Hensley, after a long and painful illness, of many months' duration. He was one of the early pioneers, and

was thoroughly identified with the history of this city—indeed, of the State—and was a gentleman of large wealth, kind and benevolent disposition, affable manner, with many warm personal friends. As a mark of respect to his memory, the following resolutions were passed by the Mayor and Common Council of the city of San José:—

“At a special meeting held January 10th, the following resolutions were read and permanently adopted: That, WHEREAS, Major Samuel J. Hensley, long a distinguished resident of this city, has departed this life; and, whereas, it is fitting that upon this sad occasion some expression of the feelings of this community upon the sad event should be made; *Now, therefore, be it Resolved*, by the Mayor and Common Council, that in the death of Major Hensley, the city of San José has sustained the loss of a citizen who was eminently distinguished in his life and character of the private gentleman, the citizen, neighbor, and friend. Be it further *Resolved*, That the citizens of San José have learned, with the deepest sorrow, of his death; and that they all realize and deeply feel that they have sustained the greatest loss which can fall to the lot of the community—the loss of a citizen who was good, and kind-hearted, tender of the rights and feelings of others—whose hand was ever extended to assist and sustain the friendless, the widow, the orphan; and who illustrated in his daily walk and character the highest and most admired attributes that adorn the character of the Christian gentleman. “Be it further *Resolved*, That the lamented deceased, our fellow-citizen neighbor, and friend, was, in our midst, distinguished for his genial and kind heart, his blameless life, and generous friendship, and that we recognize in his life and character the illustration of the noblest characteristics of our kind—and that an enduring record of his character may be made, we order that these resolutions be spread upon our records, and that the Honorable the District Court of the Third Judicial District of the State of California, now in session in this city, be requested to record these resolutions upon its minutes, and take such other proceedings as may, in its judgment, be proper to attest the deep-felt sorrow of this community. Be it further *Resolved*, That General H. M. Naglee be, and he is hereby requested to present the foregoing resolutions to said Court, and request that the same be entered upon its records. And be it further *Resolved*, That the Mayor and Common Council do attend the funeral of deceased in a body. Be it further *Resolved*, That our kindest sympathies are tendered to Mrs. Hensley and her family in this their hour of deep affliction.”

Scarcely had the official ink dried 'ere the corporation were called upon to pen the following resolutions condoling with His Honor Mayor Quimby:—

“God, in His mysterious providence, having removed from our midst Minerva E., wife of our esteemed Mayor, who departed this life on Saturday, the 13th instant: *Therefore be it Resolved*, That in the death of this excel-

lent lady our community has lost one of its best and brightest ornaments,—the husband, a kind and loving wife,—the children, an affectionate mother,—the poor and afflicted, one whose hand was ever open to their wants and ready to administer to their relief. *Resolved*, That we tender to the bereaved husband and family our heartfelt sympathy in this afflicting dispensation.”

On the 19th February William Isaac was granted the contract for a system of sewerage. On the 28th the Council passed an ordinance setting forth the manner and mode of applying for titles to city lots under the pueblo grant, and on March 1st Wm. J. Knox and T. Ellard Beans started the first banking establishment in San José in the Knox Block.

The following municipal officers were elected April 9, 1866: Mayor, J. A. Quimby; Common Council, J. M. Cory, James A. Clayton, Abram King, with three others holding over; Marshal, A. B. Hamilton; Clerk, John T. Colahan; Treasurer, Chapman Yates; Superintendent of Schools, W. C. Hart. The foregoing officers were chosen under the charter dated March 22, 1866.

April 19th, the Common Council passed an ordinance directing the selling of certain portions of Market square outside of the plot drawn, as part to be reserved, the owners adjacent thereto being first entitled to the lands thus to be sold at one dollar and a half per foot front. May 7th the following resolution was passed: “WHEREAS, By the payment of the city debt, and by recent enactments of the Legislature of the State of California, the fund known as the Sinking Fund of the city of San José is no longer required: *Therefore be it Resolved*, That the City Treasurer transfer all the moneys in his hands belonging to the Sinking Fund to the Pueblo Land Fund.” This was followed on the 6th August by the accompanying proceedings: A communication was read from the City Treasurer in relation to the redemption of the last vestige of the city indebtedness, which was referred to the Committee on Finance; whereupon the committee reported the following resolution which was on motion, adopted: “WHEREAS, The whole outstanding indebtedness of the city having been fully paid and properly cancelled, thereby rendering it unnecessary to keep open the following different accounts by the City Treasurer and City Clerk, viz.: Sinking Fund, Interest Fund, Scrip Sinking Fund, and the Scrip Interest Fund, it is therefore hereby ordered that the City Treasurer transfer the money remaining in said respective funds to the General Fund.” June 4th the following resolutions were adopted by the Common Council: “WHEREAS, The Supreme Court of the United States, having confirmed to the city of San José certain pueblo lands; *Therefore be it Resolved*, That Mayor Quimby and Councilman Clayton be and are hereby appointed a committee to communicate with the Surveyor-General and take such other and further steps as will insure an immediate survey of said lands.” In continuing this measure it was resolved on the 7th June, “that

the Mayor is hereby authorized and directed to draw from the Pueblo Land Fund the sum of one thousand five hundred dollars for the purpose of defraying necessary expenses to be incurred in surveying and perfecting the title to the pueblo lands." And on December 6th, this minute appears on the Records: In the matter of securing the services of C. Conway to procure the patent for the pueblo lands, the following resolution was read, and on motion adopted: "*Resolved*, In the event there is no protest against the pueblo survey, filed on or before December 12, 1866, or the time required by law for filing protests, that the Mayor be instructed to accept the proposition of Mr. Conway to attend to procuring a patent from the Government to the present survey of pueblo lands for the sum of eight hundred dollars—one-half to be paid in hand, and the remaining one-half to be paid when the patent is received by the city authorities, provided it is received on or before March 1, 1867."

On September 3, 1866, the subject of making the Chief Engineer of the Fire Department a salaried officer was brought up, as the annexed extract from the Records of the Common Council will show: "In the matter of the petition to make the office of Chief Engineer a salaried office, the Committee on Fire and Water reported: That, under the provisions and restrictions of the City Charter, the Common Council have no authority to attach a salary to that office; although it seems that justice would demand that an officer performing the arduous duties of Chief Engineer of our Fire Department should receive a compensation for his services, but your Committee believe a remedy is only with the Legislature, by amending the charter in that particular:"—whereupon, on motion, the report was adopted; while, on the 13th it was resolved that the Committee on Public Buildings and Land proceed at once to cause a survey of such parts of the lands on and in the vicinity of the Penetencia creek, as they may deem sufficient and necessary, for the purpose of being set apart, for all time to come, as a public park

Sunday, September 23, 1866, the church of the Methodist Episcopal Body, at the south-west corner of Second and Santa Clara streets, was dedicated by Bishop Kingsley. The cost was nearly fifteen thousand dollars; unhappily it was destroyed by fire, after it had been moved on to Second street. In this year, too, a new industry had commenced to be grafted on the now populous and flourishing city. L. Prevost had raised one hundred thousand silk-worms, while, through encouragement received from various sources, Neuman & Myers had been induced to locate their silk manufactory in San José. The site fixed upon was near the residence of Mr. Prevost; at this period we find that an attempt was being made to secure the establishment of the State Agricultural College and School of Art in this city. In the *Mercury*, of October 18th, we note: "Last week a company of Spaniards brought an immense live grizzly, weighing some six or eight hundred pounds, to this city, and confined it at the race-track. They then

advertised a *gran desafio* between the grizzly and a wild bull, to come off on Saturday. But not having their pen ready in time the encounter was postponed until the present week. On Monday the animal broke loose from its confinement and seized one of the company, a Spaniard named Echabarria, who was standing near, and mangled him in a shocking manner. The man was taken up for dead, but afterwards revived. After biting and shaking the man as a terrier would a rat, the grizzly broke and fled, scattering all obstacles to the right and left. It was followed by several Mexicans, mounted, and with lassoes, and, after a fearful struggle, the brute was captured.

On November 3d, J. J. Wing, an old resident residing about four miles from San José, was knocked down and robbed of twelve hundred dollars, near the Coyote bridge, the robber succeeding in making off with the booty; and on the 26th the San José Water Company was organized by D. McKenzie and John Bonner of San José, and A. Chabot of Oakland, with a capital stock of one hundred thousand dollars. Exclusive privileges were obtained for supplying the city of San José and the town of Santa Clara for a term of twenty-five years, while tanks and engines were at once constructed, and pipes laid through the principal streets. The further history of these operations will be found at the end of this chapter.

During the year 1866, Haskell and Porter had built a fire-proof building on the west side of First street, near San Fernando; while not far from it other structures were put up by Strauss and Brown, Messing, S. A. Clark and J. Stock; indeed, the improvements then effected were considerable and lasting.

1867.—On January 21, 1867, as the City Records show, the following resolution in relation to Pueblo Lands was passed: "WHEREAS, the lands confirmed to the city of San José by the Supreme Court of the United States has been finally approved by the Surveyor-General of California; *Therefore be it Resolved*, That all persons in the possession of such lands, outside of the city limits, are hereby required to make application for the same in accordance with the rules and ordinances of the Common Council of the city of San José within ninety days from the first day of February, 1867; and all lands remaining not applied for in accordance with the intent of this resolution, shall be disposed of by the Common Council without reference to prior possession;" and on March 21st, the Common Council having heard argument by counsel in the matter of the application of Charles M. Weber, for the purchase of city lands, on the 25th, presented the following opinion and judgment:—

"WHEREAS, in the hearing of the application of Charles M. Weber for seven thousand four hundred and fifty-three acres of land in the valley of San Felipe and in the vicinity thereof, the title to said land being vested in the city of San José, the testimony, in the opinion of this Council, proves that the said C. M. Weber, although having at different times since the year

1844 until 1865 the use and benefit of said land or portions thereof for the purposes of stock-raising, yet failed to make any improvements of a permanent character, or more than stock-herders are accustomed to erect for their own temporary convenience; and the testimony further shows that the only house of a permanent character used by the said Weber or his agents on the aforesaid lands was erected in the year 1850 by one George Osborne for his own use and benefit, who, after a possession of about two years, vacated the premises on the supposition that the Rancho de San Felipe y Las Animas, owned by the applicant in the present case, would embrace them within its boundaries; the testimony also shows that the said Charles M. Weber has at different times left the said lands, entirely unoccupied by himself or agents; also, that in or about the year 1858, he located some twelve hundred acres of School Land Warrants on different portions of this tract of land; but there is no evidence to prove that such lands so located were improved or occupied in a more permanent manner than the remaining portions; and, whereas, to the aforesaid application of C. M. Weber there are about thirty contestants, a majority of whom by the testimony in the case, have settled in good faith upon different portions of the lands applied for, and have remained to this day in peaceable possession and occupancy of such lands, and have built many improvements, cultivated the soil, planted vines and fruit trees, graded roads through the mountains to make their property more accessible, and in various ways have shown an intention of making permanent homes, and do now live upon and occupy their different places as homesteads; and, whereas, in all former cases of contested lands before this Council, the fact of cattle, horses or stock of any kind ranging over any lands, and the temporary improvements necessary to care for them, or the fact of locating pre-emption claims or School Land Warrants, has not been deemed sufficient to establish priority of possession as against prior actual occupancy and possession; but, in every case hitherto, prior settlement and continuous personal occupancy has been considered essential to entitle any one to the privileges accorded by the ordinances of this city to purchasers of its lands; *Now, therefore, be it Resolved*, First, That the application of C. M. Weber for the aforesaid tract of land, or any part thereof, is hereby denied; second, That those of the contestants to the aforesaid application who are actual settlers upon portions of said lands, are hereby granted the privileges in justice and equity to be purchasers from this city of their different tracts of land in such quantities and at such prices as may hereafter be determined." A resolution was presented to give one hundred and sixty acres to Weber, which was lost, and the original resolution approved.

On the 8th April, at the charter election, the following officers were chosen: Mayor, J. A. Quimby; Common Council, D. J. Porter, J. A. Leighton, Dr. China Smith, with three others holding over; Marshal, A. B. Ham-

ilton; Clerk, John T. Colahan; Treasurer, Chapman Yates; Superintendent of Schools, W. C. Hart.

On the 16th April the ladies of the city established "The Ladies' Benevolent Society of San José," with the following officers: President, Mrs. J. C. Cobb; Vice-President, Mrs. A. E. Pomeroy; Secretary, Mrs. N. Hayes; Treasurer, Mrs. J. C. Spaw; Board of Managers, Mesdames, W. N. Slocum, George Evans, F. E. Adams, E. J. Wilcox; Visiting Committee, Mesdames, R. B. Hall, D. L. Shead, T. E. Beans, E. Albon, A. L. Rhodes, J. Belden, China Smith, D. T. Adams, McCabe, Joseph Ingham, Wesley Tonner, J. C. Smith, Collins, J. R. Whitney; Auxiliary Committee of Gentlemen, J. A. Quimby, J. J. Owen, D. S. Payne, E. J. Wilcox, Richard Savage, A. B. Hamilton. The objects of the society are entirely what its name suggests. In the month of May we find that James R. Lowe, Jr., late City Clerk had been appointed United States Consul at Tehuantepec, a position he was considered to have the necessary qualifications for. In this month the San José Water Company declared themselves ready to supply the business portion of the city with water; while, at that time the shipment of strawberries from San José to San Francisco was about four thousand pounds per day. On the 18th July, J. W. Cary was appointed by the Council to paint and affix the names of the streets to the corners of blocks. Robberies were still rife in this year for Dr. Ben Cory was relieved of his watch and money by two highwaymen on the evening of July 23d. The men were afterwards captured and imprisoned, one subsequently escaping from custody. In this month Abijah McCall, the late County Treasurer, an absconding defaulter to a large amount, was tried and found guilty, July 23, 1867. On November 2d, a public meeting was held at the City Hall for the purpose of taking into consideration and adopting measures for freeing the Guadalupe river of timber obstructions, and for protecting the banks of the Coyote river from the wearing of the waters.

Early in 1867 a block of six fifty-vara lots, on the north side of Santa Clara street, between Sixth and Seventh streets was purchased by the City Council for three thousand two hundred and fifty dollars. On these premises was constructed in that year the splendid edifice which now stands there, and about to be evacuated by the Normal School. The building is sixty-four by seventy-five feet, three stories high, and built in the French style of architecture, with what is known as the *mansard* roof. On the first floor are four school-rooms, with entrances from Santa Clara, Sixth and Seventh streets. The front rooms are each twenty-eight by thirty-two feet, and the rear rooms each thirty-two feet square. Upon the second floor are situated the High School room thirty-two by forty feet; two school-rooms for lower grades, each twenty-eight by thirty-two, and a library or recitation room twenty-four by thirty-two feet. Each of the school-rooms is provided with

a small side room for the use of the teachers. Upon the third floor is the main assembly room for lectures, exhibitions, school concerts, etc. It is fifty-seven and a half by sixty and a half feet in dimensions, with high ceiling, well-lighted and ventilated, while there are small ante-rooms adjoining. The total cost was upwards of twenty thousand dollars.

On the 21st December San José was visited by a terrific storm of wind and rain, which on the following day blew with unabated fury. The waters of the Los Gatos and Guadalupe rose rapidly, overflowing their banks and flooding the low grounds in the western part of the city, while unfinished buildings were demolished, windmills upset, shade trees blown down and much other damage done.

In this year genial Martin Corcoran, a man who has served his country and her people well, about July 6th opened the New York Exchange on the west side of First street near St. John street; while, in addition, much street work had been perfected, and a system of sewerage introduced; the first of these included all the streets lying between St. John and William streets—seven streets north and south, and from First to Seventh streets inclusive. Many other streets, outside of these boundaries, were also improved. The most important private progress was the commencement by Levy Brothers of a two-story fire-proof block on the south-west corner of First and Santa Clara streets. Simultaneously with this work John Balbach began the erection of a building adjoining the last named, on Santa Clara street, in a like style of architecture; while Mr. Wilcox constructed a brick building on the site of a portion of the Morgan House, on First street; Mr. Knoche built a house of brick on El Dorado street; Dr. Knox built four brick stores, on the west side of First near Santa Clara street, and Calvin Martin, put up three stores adjoining those last mentioned. Indeed we are assured that there never had been a time in the history of the city, when evidences of its prosperity were so abundant. In the central business portions, as we have seen, a number of substantial fire-proof buildings had been or were being erected, and everywhere in the suburbs stately family residences, and numerous cozy cottages were springing up as if by magic.

In the midst of such remarkable prosperity it is sad to record the death of one who had done so much to build up the city now under notice. Of him the *Mercury* of November 14, 1867, observes: Dr. Knox was born near Hopkinsville, Kentucky, October 20, 1820. In infancy, with his parents, he emigrated to Missouri. He graduated at the medical college of Louisville, Kentucky, and practiced medicine in Lincoln county, Missouri, until 1850, when he came to this State across the plains, and settled in Nevada City. There he followed his profession for ten years, engaging at the same time in mining, and in the construction of water ditches. In 1854-5 he represented Nevada county in the State Legislature. His health becoming somewhat impaired,



A. B. Hunter

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he abandoned the practice of his profession and visited the Atlantic States, returning after an absence of eighteen months. After one year's further residence in Nevada he located in San José, arriving here about four years ago (1863). Dr. Knox was a gentleman of large means, and to him San José is indebted for some of her finest improvements. In 1865 he was elected to the Senate from Santa Clara county for the full term of four years. He discharged his Senatorial duties during the last session of the Legislature with eminent ability. Possessing a mind of extensive culture, richly stored with general knowledge, with a keen perception of justice, and with that fine polish which makes the true gentleman, he was well calculated to adorn any society. In all the walks of life he was the soul of honor and unbending principle. He died November 13, 1867.

1868.—January 2d of this year, it was voted by the city that Market street should be extended through Market square; five hundred and forty, or a majority of twenty-two being in favor of the proposition. On the 13th the certificate of incorporation of the Mechanics' Pioneer Silk Factory was filed, the capital stock of the company being one hundred thousand dollars. The trustees were A. Pfister, Davis Devine, Frank Stock, James Hagan, and W. P. Dougherty. And, on January 30, 1868, a certificate of incorporation for a Savings Bank was filed, the incorporators being J. C. Cobb, H. Mayberry, W. Mayberry, W. W. McCoy, H. Hoffman, James Hart, S. A. Clark, L. Archer, H. Shartzer, B. Bryant, S. M. Cutler, J. H. Flickinger, J. J. Bowen. The capital stock was fixed at one hundred thousand dollars. In the month of February Thos. Warnby & Co. opened a match factory on First street, between San Salvador and William street. On March 1, 1868, the Bank of San José opened with a capital stock of two hundred and fifty thousand dollars.

The result of the charter election, held April 13, 1868, was as follows: Mayor, M. Leavenworth; Marshal, A. B. Hamilton; Treasurer, Chapman Yates; Superintendent of Schools, J. M. Littlefield; Common Council, John Balbach, Charles Otter, J. R. Hall, with three others holding over.

Among the first duties ordered by the in-coming Council was the taking of a census, which was handed in by the Census Marshal early in July of this year. At that time the population of the city of San José, within the corporate limits, was six thousand one hundred and eleven, with two thousand one hundred and six children under fifteen years of age.

On August 10th Professor S. K. Hallam opened his academy in the Armory Hall, while about the same time George E. Houghton leased the San José Institute and Commercial College.

The building *furor* had not abated a whit in 1868. The brick stable on the south side of Santa Clara street, now occupied by Tom C. Barry, was built by Martin Murphy. Pfister built a large brick store on the corner of

Santa Clara and Second streets; Charles Otter erected a brick house on the south-west corner of First and St. John streets; Louis Krumb erected his brewery buildings on Second street, at a cost of twenty thousand dollars; Mr. Stock erected a brick store on El Dorado street, while other buildings were rising up in quick succession.

In the month of February, 1868, a franchise was granted to S. A. Bishop, Charles Silent, Daniel Murphy, D. B. Moody and others, to construct a horse-railroad between San José and Santa Clara. Murphy and Moody declined to avail themselves of the franchise. S. A. Bishop, John H. Moore, Charles Silent, Hiram Shartzer, B. Bryant, and D. W. Burnett, organized and were elected Directors, with S. A. Bishop as President. Tracklaying was commenced on the first of August and completed from First street, San José, to Main street, Santa Clara, when cars commenced to ply, November 1, 1868, three months after the first ties and rails were laid. In 1869, the road was extended to the Coyote creek bridge, and afterwards across the bridge to East San José.

On Wednesday, October 21, 1868, this district was visited by the severest shock of earthquake of modern times. It occurred at eight o'clock in the morning while a thick fog hung over the city. An eye-witness describing its effects remarks: "Buildings and trees seemed to pitch about like ships in a storm at sea. Fire walls and chimneys were thrown down in all parts of the city. The heavy brick cornice of Murphy's building, at the corner of Market and El Dorado streets, fell to the ground. The Presbyterian church has sustained an immense damage. The brick turrets are all down; and large portions of the steeple were precipitated through the roof to the floor, crushing the organ, causing great damage to the gallery and fixtures below. The walls of the steeple are almost a total wreck. They will have to be taken down. Five thousand dollars would not make good the damage done to the church. The large water-tank over the roof of Moody's flour-mill fell through the roof, carrying destruction in its course. Their wooden storehouse a hundred feet in length, filled with grain, is a total wreck, and badly mixed. Two large chimneys of the San José Institute were thrown down, one of them crushing through into the rooms below. A portion of the rear wall of Welch's livery stable fell. Otter's unfinished block, at the corner of First and St. John streets, sustained very serious damage. There is not a brick building in the city that is not more or less injured. Brick walls are everywhere wrenched and cracked, and many of them ready to fall. Another such a shock would precipitate many of our brick buildings to the ground. The brick cornice of the Masonic Hall building will have to be taken down; and the entire building in its present condition is decidedly unsafe for further occupancy. A large quantity of crockery and glassware was broken. The destruction to plate-glass windows is very great, and

much havoc is done to plastering generally. The new Court House stood the shock admirably. Some little cracking of walls and crumbling of plaster decorations is all the damage done to the building."

1869.—In the month of January of this year the San José railroad was extended to the Fifteen-mile House, which point it reached on the 11th; the lot of land belonging to the Methodist Episcopal church at the corner of Santa Clara and Second streets, was sold for the sum of sixteen thousand dollars, the church building being moved to the west side of Second street, between Santa Clara and St. John streets, where it was burned—the act of an incendiary, it is thought—on the morning of February 22, 1869. The destruction of the building was complete, together with all of its furniture, the loss being about eighteen thousand dollars, upon which there was an insurance of ten thousand dollars. On the day after, General Naglee's distillery was destroyed, as we have mentioned elsewhere. In the month of January, a lot on the east side of Second street, having twenty feet front and fifty varas in depth, was purchased by the city for an engine house, at a cost of sixteen hundred dollars; and on the 31st of January a Sunday-school for Chinese was opened with sixty-two pupils.

San José was visited by a severe flood on the night of Tuesday, February 8th, when the Los Gatos and Guadalupe rivers overflowed their banks, flooding the lands adjacent thereto. The high grade of the horse-railroad track dammed the water back south of Santa Clara street, inundating the houses and yards, and causing considerable damage. The water broke over the track, flooding the low grounds between the Convent and Guadalupe river, in some places to the depth of four feet. About a hundred feet of the railroad track was swept away, while the rain fell in such torrents that the city ditch was inadequate to carry away the water, and the main portion of the city, between Third and Seventh streets, was under water to the depth of several inches. No such flood had been known since the settlement of the place by Americans.

March 9th, there was filed in the office of the Secretary of State, the certificate of incorporation of the San José Wool Manufacturing Company, with a capital stock of one hundred thousand dollars, the trustees being, T. E. Beans, J. H. Flickenger, Daniel Murphy, S. O. Houghton, and R. F. Peckham; and on the 13th, the railroad reached Gilroy. In the month of April a drive was made, at a cost of four hundred and thirty-five dollars, around Washington square, which added greatly to its beauty; while, at the charter election held April 12, 1869, the following corporate officers were chosen: Mayor, M. Leavenworth; Common Council, D. T. Adams, D. C. Bailey, D. J. Porter, D. C. Vestal, J. Balbach, Charles Otter; Treasurer, H. O. Weller; Clerk, John T. Colahan; Marshal, Wm. Sexton. In the following month, the 4th, the banking firm of McLaughlin & Ryland commenced business on Santa Clara

street, between First and Second streets; and the House-carpenter's Eight-hour League was organized with the following officers: A. C. Stowe, President; A. B. Hamilton, Vice-President; S. W. de Lacy, Secretary; D. L. Shead, Treasurer; E. A. Van Dalson, Sergeant-at-Arms. The San José Homestead Association, for the sale of lands in Polhemus' Addition, was established about this time, as was also the East San José Homestead Association.

It may be remembered that in the month of February of the year now under notice, the Methodist Episcopal church was destroyed by fire; on July 18th a new frame building which cost twenty-one thousand six hundred and sixty-five dollars, and three cents, was dedicated by Bishop Kingsley. It is that beautiful edifice which now stands on Second street. On August 16, 1869, there died in San José, Louis Prevost, described as one of the best hearted of men, as innocent as a child, yet one of the most energetic of California's pioneers. He was a native of France and settled in San Francisco in 1850.

We are informed that in the year 1869, no town in the State, except San Francisco, could boast of as excellent hotel accommodation as San José; and in all, save dimensions, it was doubtful if the Auzerais House was inferior to any. The New York Exchange, with the prince of landlords, was doing an immense business; the Morgan House, the oldest established in the city, was kept on temperance principles by Mr. Wilcox; while, in addition to these, there were the United States, National, What Cheer House, Wisconsin House, San José Hotel, and one or two more, all of which were in a flourishing condition. As a manufacturing town it was also making headway.

Aside from the large woolen manufactory then completed, the interests of San José in that direction were considerable. A large amount of superior work was turned out of her half-a-dozen carriage and wagon shops; her foundries were equal to the best in the State; the best of harness work, made from San José tanned leather, was to be found in the establishments of Messing, Stern, and others; there were three breweries, and a couple of distilleries running, to supply the thirsty with moisture; while, in addition, there were the lesser enterprises of the manufacture of candy, pottery, crackers, cutlery, etc., each having its significance in making up the sum of business prosperity.

In this year, there were, in the city of San José, one thousand, five hundred and forty-two scholars, between the ages of five and fifteen years, and nine hundred and sixty-five under the age of five years. In the month of December, the Common Council took steps towards the improvement of St. James square; while another important fact was the arrival of the first through train from Sacramento, on September 6th. In the month of August H. M. Newhall erected the brick building on the north-east corner of Santa Clara and Market streets, the ground costing twenty thousand, and the erection

fifty thousand dollars. Besides this, the Catholic frame church was erected in this year. It was a handsome building, fifty-four by one hundred and eight feet, with thirty-eight feet in the clear, of the Corinthian style of architecture. It was destroyed by fire, in 1875.

1870.—On the first day of this year, Messrs. Pomeroy and Colahan issued the San José City Directory and Business Guide of Santa Clara County, a useful volume, for the houses had all been numbered by this time, and found a ready appreciation. In the month of February, the seventh day, at a meeting of the Common Council, the following proceedings were had:—

Councilman Bailey offered resolutions tendering to the State, as a site for the Normal School, either Washington or St. James square, or ten acres of land adjacent to the city, and, on motion, the same was lost, by the following vote—Ayes, Bailey, and Otter; Noes, Adams, Balbach, Porter, and Vestal. The following motion was then offered, and adopted: "WHEREAS, the Mayor and Common Council of the city of San José donated Market street square to the State of California, for the purpose of locating the State Normal School thereon; and whereas, it has been understood that members of the Legislative State Normal School Committee have expressed a belief that Market street square is too small for the requirements of the school; *Therefore, be it Resolved*, by the Mayor and Common Council of the city of San José, that St James square, and Washington square be, and hereby is, donated for the State, from which to select a site for said school." On March 11th, the final vote of the Legislature on the permanent location of the State Normal School gave a majority of eight votes to San José, forty-seven being in favor of that city, and thirty-nine for Napa. Market square was chosen as the site, as the annexed proceedings of the Common Council will explain:—

A communication from the Commissioners to Locate the Normal School was read, and, on motion, ordered spread upon the minutes: "San Francisco, April 25, 1870.—At a meeting of the Commissioners to Locate the State Normal School, held at the office of the Superintendent of Public Instruction, on Monday, April 25, 1870; present, His Excellency Governor H. H. Haight, State Superintendent O. P. Fitzgerald, and W. T. Luckey, Principal of the State Normal School. After examination of the Act to establish and locate the State Normal School, and discussion, the following resolution was passed, viz: *Resolved*, That it being apparent upon inspection of the law authorizing the location of the Normal School, that the Commissioners are confined to three squares offered by the city of San José, and that the selection of the Sullivan tract is unauthorized, the Commissioners hereby select Washington square, as the most suitable one of the sites offered by the city. O. P. FITZGERALD, Secretary." A more complete history of this Institution will be found elsewhere in this work.

On the 1st of April there were forty-two thousand nine hundred and thirteen dollars and forty cents in the City Treasury; of which thirty-one thousand five hundred and forty-eight dollars and twenty-seven cents, belonged to the Common School Fund. The Legislature passed a law on this date, for the government of the Fire Department of the city. The following were the officers elected at the charter election held, April 12, 1870: Mayor, Adolph Pfister; Common Council, J. J. Denny, A. P. Hulse, F. Lewis—D. T. Adams, D. C. Bailey, D. J. Porter, holding over; Clerk, J. T. Colahan.

Early in the month of May, the San José Starch Manufactory was established about two miles from town on the Alviso road, where it was operated by the owners, Johnson, La Grange & Co. July 25, 1870, the stockholders of the Santa Clara Valley Railroad and Transportation Company elected the following directors: S. O. Houghton, John G. Bray, G. P. Pierce, A. E. Pomeroy, T. Lenzen, A. Pfister, C. Peebels, V. D. Moody, and Martin Corcoran. On May 17th, H. S. Foote and D. M. Adams issued the *Daily Independent*, at that time the only daily paper in the county, as it was the first to receive telegraphic dispatches from the East concurrently with the San Francisco papers. In the month of December, it was sold to Norman Porter, and, in 1871, was merged in the *Guide*. July 21st, goods manufactured at the Woolen Mills were first put on the market, while, among the improvements that had been effected in the city, we may mention the building of two splendid theaters; the introduction of mountain spring water, under eighty feet pressure; the San José Woolen Mills; the Hebrew Synagogue; the German Methodist church; new Catholic church; the dwelling-house of Mr. Clark, that cost seventy-five thousand dollars; the extension of the horse-railroad to the eastern limits of the town; a splendid fire-engine house; and about half-a-dozen new business blocks.

August 18th, Brohaska's Opera House, on the north side of Santa Clara street, between Second and Third streets, was opened with the play of "London Assurance," Miss M. E. Gordon (Mrs. John T. Raymond) in the role of "Lady Gay Spanker," and Mr. Raymond as "Mark Meddle." An address was delivered, before the rising of the curtain, by Miss Gordon, in the presence of a large, select, and fashionable audience. On the 23d, the Jewish Synagogue was dedicated by Doctors Cohn, of San Francisco, and Lowenthal of San José; and on the 31st, two wooden buildings, situated opposite the Auzerais House, on Santa Clara street, were destroyed by fire. On September 10th, the corner-stone of the University of the Pacific was laid with much ceremony, the orator of the day being Hon. Thomas H. Laine, the first graduate of the college, and was followed by Dr. Sinex, who gave a brief history of the institution.

The census taken this year shows the population of San José township to have been twelve thousand five hundred and fifty-two.

November 26th, we have to record the burning of the residence of Mrs. S. J. Hensley, on First street, and nearly all of its valuable contents, at a loss of not less than sixty thousand dollars. The house itself was made at the East, at an early day in the history of San José, taken apart and shipped to this country, where it was occupied by the late Major Hensley, until his death.

In this year was completed the Music Hall, on the east side of First street, occupying the site of the historic Mansion House; the jail was in the course of construction; Washington Hose Company, No. 1, was organized; and the sidewalk, on the north side of Santa Clara street, between Market and First, was widened to sixteen feet, laid with brick, covered with asphaltum, and curbed with granite.

1871.—January 28th, judgment was given in the case of Leroy *versus* a large number of settlers in the valley. The suit was brought in the United States Court through Leroy, an alien; but the real parties interested, were, mainly, citizens of the county. A decision adverse to the settlers would have been ruinous to the prosperity of the county, while, it would have wrecked hundreds of families, and operated to have unsettled confidence in land titles in the district. February 4th, the community was startled by the death of one of its oldest and most esteemed citizens—John G. Bray, President of the Bank of San José. He died, at his home in Santa Clara, of paralysis of the heart. Mr. Bray had been a resident of the county since 1852, during all of which time he had been engaged in active business—was senior partner of the commission firm of Bray & Brothers, of San Francisco, and was also Director of several corporations. He was chosen President of the Bank of San José, at the first organization of that institution, which position he held up to the time of his decease. Mr. Bray was a fine type of the true gentleman. He was a whole-souled, pure-minded, manly man—one whose very presence shed an aroma of gentleness blended with manly dignity, and all the graces of a noble character. February 21st, a branch of the Home Insurance Company was established in this city, when over fifty-six thousand dollars' worth of stock was subscribed in a short time. At a subsequent meeting the following gentlemen were elected a Board of Directors: T. Ellard Beans, Dr. W. S. McMurtry, A. Pfister, Josiah Belden, J. S. Carter, Jackson Lewis, N. Hayes, and E. Skerritt.

On April 3d, the following communication from Mayor Pfister was received:—

"To the Honorable the Common Council of the city of San José—"

"Gentlemen: In accordance with the proposals which I made to you on receipt of the first installment of my salary as Mayor, I have the honor to inform you that there is now at your disposal the sum of six hundred dollars, the amount of salary which I have received for the year just ended—for the

purpose of establishing a Public City Library. It is my desire that in the establishing of such a library, care should be taken to keep it free from sectarianism, and to make it in fact as well as in name, a public library.

"Yours respectfully,

A. PFISTER."

A proposal of the Young Men's Christian Association to take charge of such library was referred to a committee, and, as will hereafter appear, was duly effected. The charter election for 1871, was held on April 10th, with the following result: Mayor, A. Pfister; Common Council, S. N. Johnson, Louis Krumb, Robert Page, and A. P. Hulse, J. J. Denny, Jackson Lewis, holding over; Marshal, William Sexton; Clerk, J. T. Colahan; Treasurer, Chapman Yates. In the month of June of this year, charge of the San José Institute and Business College was assumed by Freeman Gates, after an absence of three years.

In the first week of the month of July, 1871, several heavy transactions in real estate are reported as having occurred: McLaughlin & Ryland purchased from A. Pfister & Co., their property on the south-east corner of First and Santa Clara streets, with the buildings thereon, for sixty-two thousand dollars. Here, in 1872, they erected the magnificent building where now the Commercial and Savings Bank is located, and in one of the rooms of which this work has been compiled. Dr. J. C. Cobb sold to Daniel Murphy, his property on which he resided, on the east side of Second street, between Santa Clara and San Fernando streets, being one hundred and forty-eight feet front by fifty varas deep, for sixteen thousand dollars. Judge Archer sold to N. Hayes the lot on Second street adjoining the South Methodist church, for two thousand five hundred dollars. Barbara Castro de Soto sold to A. Pfister forty varas square on the south-west corner of Third and Santa Clara streets, for twelve thousand dollars, besides which, other transactions were in course of fruition, all proving the wonderful advance made in the prosperity of the city.

The number of children between five and fifteen years of age attending school in this year, was eighteen hundred and twenty-eight, an increase of two hundred and eighty-seven over last year. In addition to this number there were one thousand and forty-five children under five years, making a grand total of two thousand eight hundred and seventy-three children.

When Mr. Bishop first talked of substituting steam for horses on the San José and Santa Clara Railroad, the project was looked upon with great disfavor by the people generally, and it was a long time before the Board of Supervisors would consent to his trying the experiment. The boon was tardily granted, and the order for a suitable dummy to be made was given. It was received in July, and on the 11th a most satisfactory trial of it was made, but not long after the City Attorney discovered that it was not within the power of the Council to permit the company to use steam-power, but must

be held to the restrictions of their franchise. October 17th the Common Council held a special meeting to pass an ordinance granting to Mr. Bishop a franchise for a railroad along First street.

On Sunday, October 29th, the ceremony of "blessing the bell"—a new one presented to St. Joseph's church by Messrs McLaughlin & Ryland, weighing three thousand one hundred and fifteen pounds—was performed by Bishop Meige, assisted by a large number of priests, and witnessed by an immense concourse of people. Until the arrival, and placing in position of the new Normal School bell, that of St. Joseph's was the largest in the city.

In the month of December, 1871, we have once more to record an inundation, attended by much damage to property. On the night of Sunday, the 17th, it commenced to rain and continued without ceasing for forty-eight hours. On Tuesday night the Guadalupe and Los Gatos rivers commenced to rise, and soon overflowed their banks. In the city hundreds of dwelling-houses in the western and south-western additions were flooded, causing the greatest consternation among the inmates. Fences and small buildings were swept away, and both railroad tracks undermined in several places. On the east side of River street, south of San Augustin, seven small one-story cottages were borne down stream for a distance of a third of a mile. During the flood all railroad and telegraphic communication with the outside world was suspended, while the district around for two days was like an angry sea lashed by the wind.

1872.—Having purchased the type and printing material of the *Daily Guide* from N. Porter, the *Mercury* made its appearance as a daily paper on the morning of March 11, 1872, since when it has maintained a regular course of rectitude and honor. On the 2d April, the White Cloud Consolidated Gold and Silver Mining Company was incorporated, with a capital stock of three millions of dollars, the place of business being San José, and the Trustees John H. Moore, Frederick Smith, S. A. Barker, Giles E. McDougall, E. A. Veazie, O. L. Crandall, and Charles Silent. Of the improvements then effected the periodicals of the time state that the sidewalk in front of the new Bank of San José building on Santa Clara street had been widened about eighteen inches and covered with asphaltum; McLaughlin and Ryland's building, at the opposite corner, was entirely completed and ready for occupancy; the grade between Santa Clara and St. John streets, on First street, was being lowered to conform to a uniform height with the rest of that thoroughfare; S. A. Bishop was about to open the First street railroad; the different offices in the Court House had been renovated; while other improvements were noticeable in almost every quarter of the city. We have to record the death of Dr. James C. Cobb, an old pioneer and highly esteemed citizen, on Friday, April 5, 1872. Dr. Cobb was a native of Vermont, but subsequently, and for many years resided in

South Carolina, where he practiced his profession. Of this gentleman the *Mercury* says: "No man stood fairer in the community for uprightness of life and character—none whose death would be more generally regretted."

We cull the following from the same paper, dated April 25th: "At the corner of Market and Santa Clara streets there stands an old relic of bygone days, around which are associated interesting reminiscences and pleasing recollections. It is an old hand fire-engine, Empire No. 1. The paint, which was once bright and of brilliant coloring, has worn off by use, time and exposure, until but little of it remains. The gilded eagle in front still looks as defiant as ever, but the beak, alas, has vanished, leaving the poor old bird disfigured and homely. Empire No. 1 was known as 'Old 41' in New York, as far back as 1830, and its quarters were at the corner of Delaney and Livingston streets. Levi Goodrich, the architect, and, we believe, Abe. Beatty, used to run with the old machine in New York. In 1850 it was sent to San Francisco, and sold to the Engine Company of which the lamented David C. Broderick was Foreman. There it remained until 1854, when the city of San José purchased it, and from that day to this, it has been known as 'Empire No. 1.' Since the purchase of the steamer, the old tub has been in disuse, though the pumps are in fine order and capable of doing service for some time to come. Yesterday it was used in cleaning out Chris. Schmidt's cellar. While many of the boys who used to cluster around it have been called to the other world, the old engine still stands a monument of the past." Of it may be truly said, *monumentum aere perennius*—a monument more lasting than bronze.

At the charter election held April 8, 1872, the following city officers were elected: Mayor, A. Pfister; Common Council, J. J. Conmy, D. C. Vestal, Frank Lewis, with L. Krumb, R. Page, S. N. Johnston holding over; Marshal, William Sexton; Treasurer, W. A. January.

On May 14th, articles of incorporation for a new City Market were filed in the office of the County Clerk, the incorporators being N. B. Edwards, D. A. and James Leddy, C. A. Blanchard, A. Matty, C. Hertel, G. McDonald, J. Del Conte, B. S. Dudley, A. Larrieu, J. Sterarl, and G. Wendt. The capital stock was one hundred thousand dollars, in four hundred shares, and the Trustees, N. B. Edwards, James Leddy, C. A. Blanchard, A. Matty, and G. McDonald. On the 19th May, the Pavilion on St. John street was destroyed by fire, while on the same evening two more conflagrations were discovered and promptly extinguished. About this time the width of the sidewalks on Santa Clara street, from San Pedro street to Second, was fixed by ordinance of the Common Council at sixteen feet. On the 24th May, the clock in the tower of the Bank of San José building first commenced to tell the hours. At a meeting held on June 11th, the San José Library Association was organized, and on the 12th a terrific railroad accident occurred on the Southern Pacific Railroad, near the Twelve-mile House.

In the month of September of this year, a meeting of citizens interested in preventing the pollution of the fairest portion of the city—that around Market square—by the erection of additional Chinese dens, and devise some means for the removal of those already there, was held at the office of B. D. Murphy. What steps may have been then decided upon, have had no benefit in removing the blot, for the squalid hovels which go by the name of Chinatown, is a stain upon the Garden City. On October 19th the Central Market was opened with great *éclat*. Early in the month of December, the lots laid out by the University of the Pacific were sold at auction. The University tract had been purchased some years before from the Railroad Company, and after reserving a sufficient space for a college *campus*, the balance of the tract was laid out into blocks for a town. The University at that time was maintained in the old brick college building at Santa Clara, with limited accommodation and a languishing patronage. The trustees determined to erect buildings on their new tract, and by taking a fresh start, see if they could not secure the patronage and support to which the merit of the institution entitled it. The lots sold readily, and soon the neighborhood of the college was thickly settled. The present building was erected, the trustees incurring heavy liabilities to secure its completion; but still the lukewarmness of some of the brethren of the Conference, the indifference of others, and the open hostility of a few, caused the institution to languish notwithstanding the heroic efforts of Dr. Sinex and others in its behalf. It was finally concluded that the college could never prosper with its large debt hanging over it, and after much consultation, it was resolved to make one grand effort to dispose of the balance of their surplus lots, and lift the debt. About this time the Annual Conference convened and brought with it Bishop Foster as presiding officer. He had had much experience with struggling institutions of learning, and took in the situation at a glance. During the Conference he scarcely allowed a day to pass in which he did not lecture the brethren as to their duty in this behalf, and finally succeeded in working them up to a zeal that had scarcely ever before been excelled. The action of the trustees in selling the tract was approved, it appearing that the proceeds of the sale would be sufficient to pay off the entire indebtedness of the institution and leave a surplus of several thousands of dollars. This was not all. Before the Conference closed, an endowment of about fifty thousand dollars was secured for the institution, and above all, the hearty co-operation of the Church was won in its behalf. It is hard to imagine a more desirable location than the University of the Pacific has, situated as it is in a central position, in a lovely country, in a splendid climate, and within easy access from all points of the compass.

We have to record the death, on Thursday, December 19, 1872, of Freeman Gates, a gentleman whose name has frequently occurred in these pages.

At the time of his demise he was Under-sheriff of the county. Prior to the year 1861, Mr. Gates had been for several years Principal of the Public Schools. He then conceived the idea of erecting the San José Institute, a mixed day and boarding school, which under his management obtained a high degree of prosperity. Failing health finally compelled him to abandon the school-room, and seek out-of-door exercise, although he still retained the general management of the institution. It was this need of open-air employment that prompted him to accept the appointment of Under-sheriff, the duties of which position he filled with marked ability so long as he was able to be out.

1873.—On the 22d January, the Santa Clara Valley Mill and Lumber Company was incorporated, with a capital stock of three hundred thousand dollars, and the following directors: W. P. Dougherty, W. H. Hall, Samuel McFarland, E. W. Haskell, W. W. Pratt, John Metcalf, and G. W. McLellan. The duration of the association is for thirty years. On March 1st is announced the death of a veritable pioneer. Mrs. Sarah Ann Aram came with her husband to this coast in 1846, and had resided in or near San José for about twenty-five years. Her death was sad news to many an old settler.

March 24th, the San José Savings Bank moved into their new quarters, on Santa Clara street; and on the 14th April, the following civic officers were elected: Mayor, Bernard D. Murphy; Common Council, J. J. Conmy, C. S. Crydenwise, A. Greeninger, Frank Lewis, D. C. Vestal, John McCune; Marshal, A. B. Hamilton; Clerk, Montgomery Maze.

1874.—On February 2d, it was resolved by the Common Council, that a special bill be drafted, to provide for an election for the issue of forty thousand dollars school-house bonds, for twenty years, at eight per cent. per annum, said bonds to be converted into funds for the purpose of building school-houses. On the 13th April, the officers elected at the charter election were: Mayor, B. D. Murphy; Common Council, W. O. Barker, C. S. Crydenwise, W. F. Ellis, A. Greeninger, A. Lake, J. Lenzen; Treasurer, W. A. January; Chief of Police, James V. Tisdal; Commissioner of Streets, Reuben Burdett; Clerk, Montgomery Maze.

1875.—June 21st, the following preamble and resolutions were presented and read, and, on motion, the City Clerk was ordered to have them spread upon the minutes, and also to have a copy thereof sent to the family of the deceased: " WHEREAS death has removed from our midst Montgomery Maze, late City Clerk of the city of San José, and, whereas, the Mayor and Common Council deem it proper to pay a just tribute to the worth of our late associate; *Therefore, be it Resolved*, That we hereby express our warm appreciation of the personal character of our late associate, and give cheerful testimony to his high integrity and the eminent qualities which he brought to bear in the

discharge of the arduous duties of his office. *Resolved*, That in the demise of Montgomery Maze, the city of San José has lost an active and useful citizen, his immediate associates, a firm and devoted friend, and his family, a father and husband whose energies were devoted to their well-being and happiness. *Resolved*, That we hereby extend to the bereaved family and friends of the deceased, our warmest sympathy, realizing, at the same time, how futile are all attempts at consolation, when a strong man has been stricken down in the prime of his life, while his usefulness was in its zenith, and while his warm heart was beating strongest for the dear ones for whom he was toiling under the inspiration of his generous love. *Resolved*, That these resolutions be spread upon the records of the Council."

The officers elected for the year 1875, were: Mayor, B. D. Murphy; Common Council, George W. Lowry, Jonathan Sweigert, Daniel Hillyer, A. Greeninger, J. Lenzen, W. F. Ellis, W. O. Barker; Clerk and Assessor, W. N. Castle.

1876.—April 10th of this year, were elected, Mayor, B. D. Murphy; Common Council, A. L. Bascom, D. C. Vestal, George B. McKee, M. Hale; Treasurer, John A. Lotz; Chief of Police, James V. Tisdal; Clerk and Assessor, W. N. Castle. June 26th, His Honor the Mayor, read the following resolutions:—

"WHEREAS, it has pleased an all-wise Providence to remove from our midst our esteemed friend and associate, Frank Lewis, we deem it befitting his memory, and ourselves, that the archives of our city should perpetuate the record of his many virtues, and of his influence; *Therefore, be it Resolved*, That in the death of Frank Lewis, the city of San José mourns an upright and efficient public officer, a most useful citizen, and a worthy man. *Resolved*, That, as members of the city government, long associated with the deceased in the conduct of public affairs, we recognize the very large measure of industry and efficiency brought by the deceased to the official duties with which he was intrusted, and that we feel with special weight this bereavement, which takes from our midst one of approved and unquestioned integrity, of unswerving fidelity, and whose soundness of judgment was only equalled by his kindness of heart and purity of character. *Resolved*, That to the family and relatives of the deceased we tender our earnest sympathy in this, their great affliction, and that with these bereaved and stricken friends we will keep in grateful remembrance the record of his useful and exemplary life, and of his many endearing virtues. *Resolved*, That these resolutions be spread upon the minutes of this Council, and that the City Clerk be instructed to forward a copy of the same to the family of the deceased, and also to the daily papers, for publication. Adopted.

On the 6th September, at a special meeting held for the purpose of hearing the disposition of the Fire Department, in the matter of a paid department, the President of the Board of Fire Delegates stated that the whole organi-

zation was unanimous on the point of disbanding on November 1, 1876, whereupon the Clerk, was, on motion, instructed to communicate with the department, and obtain a minimum list of the number of men it would take to operate each company, and also to get a list of the officers and active members that are willing to work for pay.

October 23d.—The conversion into a Paid Fire Department was passed on this date, the vote being—Ayes, Greeninger, Hale, Hillyer, Lowry, McKee, and Sweigert; Noes, Vestal. The scale of salaries adopted being—

Chief Engineer	per month \$ 30 00
One Assistant Engineer	" 20 00
Two Engineers, each	" 60 00
Three Foremen, each	" 20 00
Ten Extra men for Steamer, each	" 12 00
Two Drivers (three horses), each	" 125 00
One Driver of Hook and Ladder Company's Truck....	" 100 00
One Tillerman	" 40 00
Six Extra men for Hook and Ladder Truck, each	" 12 00
One Hydrant Inspector	" 30 00
Two Hose Cart Drivers, each	" 40 00

October 30th.—The following appointments were made: Chief Engineer, F. C. Gerdes; Assistant, W. D. Brown.

Empire Engine Company No. 1.—Foreman, Thomas Howard; Engineer, J. P. White; Driver, John Purcell; Driver of Hose Cart, Steward and Stoker, George Dash; Extra men, M. Zimmer, E. Bagley, J. S. Huey, J. H. Kiep, E. Norriega.

Torrent No. 2.—Foreman, William Petri; Engineer, R. Knowles; Driver, James Richardson; Driver of Hose Cart, Steward and Stoker, J. Phillips; Extra men, Thomas Brookbanks, John Moore, H. Young, J. B. Stoklin, James Eddy.

Hook and Ladder Company No. 1.—Foreman, Benjamin Bernal; Driver, E. McGrory; Steward and Tillerman, John Toomey; Extra men, James Brady, John Doherty, P. Limmerick, C. Bailor, P. Maloney, G. Sampson.

Steward of Eureka Engine House, James Smith; Steward of Franklin Engine House, T. L. Cleal.

1877.—The City officers elected April 9, 1877, were: Mayor, B. D. Murphy; Common Council, Solomon Easterday, J. Y. McMillin, T. Gebler, A. Greeninger, A. L. Bascom, M. Hale, G. B. McKee, D. C. Vestal. On the 12th November, G. B. McKee was elected Mayor, *vice* Murphy resigned.

1878.—January 7th the salaries of city officers were reduced: City Clerk to one hundred and twenty-five dollars, Chief of Police to one hundred dol—

lars, Street Commissioner to one hundred dollars, Captain of Police to eighty-five dollars, and Detective to eighty-five dollars. February 25th the following minute is found on the City Records: "In the matter of the acceptance by the City of San José Library, the following resolution was presented, to wit: *Be it Resolved* by the Mayor and Common Council of the city of San José as follows: That the offer of the Trustees of the San José Library Association to turn the said Library over to the city, including the sum of one thousand six hundred dollars now in and to remain in the building fund of said Library, together with all the books and other property belonging to said Library as a public institution, is hereby accepted, and that our representatives in the Legislature be requested to procure the passage of an Act giving to the said city the authority necessary in the premises. Carried."

At the charter election held in this year, April 8th, the following gentlemen were chosen civic officers: Mayor, Lawrence Archer; Common Council, C. L. Kennedy, B. H. Cottle, C. J. Martin, H. C. Kaiser, T. Gebler, Solomon Easterday, J. Y. McMillin, A. Greeninger; Treasurer, J. A. Lotz; Street Commissioner, W. O. Breyfogle; Chief of Police, D. N. Haskell; Clerk, W. N. Castle.

1879.—January 6th, J. C. Keane was appointed Clerk of Council, *vice* W. N. Castle, declared a defaulter, and on the 19th April, the officers elected were: Common Council, Dennis Corkery, J. Y. McMillin, R. S. Carter, S. Grozelier; Clerk, W. F. Ellis.

1880.—April 12th, there were elected: Mayor, B. D. Murphy; Common Council, C. T. Settle, A. King, C. J. Martin, H. C. Kaiser; Treasurer and Collector, J. A. Lotz; Chief of Police, D. N. Haskell; Commissioner of Streets, W. O. Breyfogle; Justice of the Peace, W. H. McGrew. At the same time the following votes were cast: For incurring a debt to build the City Hall, eight hundred and forty-two; against it, ten hundred and ninety-six. For opening Second street, one hundred and ninety-two; against it, sixteen hundred and forty-nine. For establishing a library, twelve hundred and thirty-two; against it, six hundred and five.

Thus is our history of San José brought to a close. It has been impossible to follow the course mapped out for our guidance in dealing with the other townships. So large a city as this is, with so great a population, and a township so vast in extent and so thickly settled, it would be an impossibility to follow the arrival of individual by individual, not because they are not deserving of notice, but because we have neither time nor space.

In bidding adieu to this portion of our subject, we would wish here to express our thanks for the many kind and friendly aids we have received in the Garden City, whose hospitable people, beautiful trees, and handsome, home-

like dwellings, will ever be green spots in our recollection. To the stranger, who may pick up this volume, I say come with me to the top of the Court House dome, to learn what an enchanting scene is like.

The view from the dome is magnificent. The beholder looks over the best part of one of the finest valleys in the world. Away on one side a range of low hills breaks the view, and beyond it the vale stretches again. Immediately around the Court House lies the city of San José, and the beauty of its houses and gardens, the width of its streets, the number of its public squares, and the spaciousness of its public buildings, arrest the eye at once. Beyond lies Santa Clara, almost hidden in the wealth of foliage that embraces it, but above which the tall spires of her churches peep picturesquely. All around lie broad acres of living green. From the Court House far away into the dim distance, where the plain meets the foot-hills, and melts into them, the scene is one of the richest verdure. There is no season of the year when this valley presents so perfectly beautiful an appearance as now—the month of April. By and by the almost tropical heat of the Summer sun will have dried up the grass and have caused the flowers to wither. The young wheat, that now wears a garment of living green, will have gladdened the eye of the farmer with golden robes, and in its full prime will have been gathered into his granaries. The foot-hills and the Coast Range will have become weary of the glorious sun, and their scorched sides will reveal their readiness once more to welcome the friendly shelter of winter clouds, and the revivifying influence of winter rains. But now the plain and the mountain are alike exulting in the boon of moisture, and the kindly sun is ripening and nourishing all grain, and herbage, and trees, and vegetation of whatever kind. The orchards bloom everywhere with fragrant blossoms pure as bridal vows, or roseate as bridal blushes. The distant lowing of cattle sounds musically, high up in the warm, still air, and the bells of one of the many seminaries scattered around about, are followed by the cheerful sound of children's voices. Where, better than here, could a sturdy race be nurtured? Where, better than among these hills, these plains, these grassy meadows and noble trees, and lovely gardens, can the men and women who are to do the work of this State hereafter, spend their youth? The lessons taught by Nature, in her most genial mood, will here supplement and strengthen the influence of the academic halls, and the rising generation will surely learn here, if anywhere, to associate sound minds with healthy bodies.

First Presbyterian Church of San José.—Early in the Spring of the year 1849, there arrived in San José the Rev. John W. Douglass, who was immediately appointed to the position of Town Chaplain; and from that date an interest in ecclesiastical matters may be said to have taken hold upon the people who were then gathered together in the pueblo. On the evening of Saturday, October 6, 1849, there assembled at the residence of James Math-



J. W. Baulware

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ers, besides the Rev. Mr. Douglass, James Mathers and his wife Sarah, Warren Dutton, S. W. Hopkins, Oliver Crane, Austin Arnold, and Dr. James C. Cobb, who after engaging in prayer, followed by conversation, formed the resolution to organize a church on the morrow, after the Presbyterian form. To this end the following memorial was prepared by Mr. Mathers and presented to the above-named clergyman :—

"To Rev. John W. Douglass—

"Dear Sir: The undersigned, impressed with the belief that the organization of a Christian church in this place would tend to promote a greater unity of action in the cause of Christianity, would respectfully invite you to meet the undersigned and others of like religious sentiments, at such time and place as you may please to designate, for the purpose of organizing a Presbyterian Church agreeably to the usages of said church.

"JAMES MATHERS,	SARAH MATHERS,
"WARREN DUTTON,	AUSTIN ARNOLD.
"S. W. HOPKINS,	OLIVER CRANE.

"Pueblo de San José, October 6th, 1849."

The following day being the Sabbath a sermon was preached by Mr. Douglass, the words of the text being: "Now, therefore, ye are no more strangers and foreigners, but fellow-citizens with the saints and of the household of God; and are built upon the foundation of the apostles and prophets, Jesus Christ himself being the chief corner-stone; in whom all the building fitly framed together groweth unto a holy temple in the Lord." [Ephesians 2: 19–21.] And on that afternoon, October 7, 1849, a church was organized under the name of the Independent Presbyterian Church of San José, while a Confession of Faith and a Covenant previously agreed upon were read, together with the names of those uniting, which are the same as those appended to the memorial quoted above. This organization was perfected in the *Juzgado*, or Judgment Hall of the Alcalde's court, where services were first held; however, after a short time the Hall of Legislature became the place of worship. On October 14th we find that the sacrament of the Lord's Supper was first administered, and a subsequent communion was held in February, 1850, in "a blue tent which Rev. S. V. Blakesly built for a school-room, situated on Second street." Mr. Blakesly is now a resident of Oakland, Alameda county. In the month of July of this year, 1850, it was contemplated by Mr. Douglass to remove from San José, and, on August 20th, a society was organized to take charge of the secular interests of the church, the following resolution being then carried, and a copy directed to be handed to Rev. Isaac H. Brayton, who had become the *locum tenens* of Mr. Douglass: "*Resolved*, That in the event of Rev. J. W. Douglass leaving us for another field of labor, now in contemplation, we desire the Rev. Isaac

H. Brayton to become our stated preacher, and that we do hereby extend our invitation to him to labor among us in that capacity." Meantime, Mr. Brayton was duly inducted into the duties of the church and first administered the sacrament, October 6, 1850, in the State House, on the first anniversary of the church's organization. He was on the occasion aided by Rev. Mr. Brier, while the preparatory lecture had been preached in the afternoon of the preceding Friday, October 4th. Up to this time, as has been shown, the State House had been used, in conjunction with the Baptists, as a place of worship. In the course of a few months, precisely how many we are unfortunately unable to specify, a neat building of wood had been constructed, capable of seating about one hundred and eighty people, on a fifty-vara lot, purchased for the purpose at a cost of five hundred dollars, situated on the east side of Second street, between Santa Clara and St. James streets. This edifice, the first Presbyterian church built in San José, constructed at an expense of about three thousand dollars, was duly dedicated February 9, 1851, by Rev S. H. Willey, just sixteen months after the little *coterie* of six earnest Christians had appealed to the only clergyman this now prosperous city could then boast; from these small beginnings, have such noble works sprung. With the influx of residents members were added to the church, the congregation became larger, and its affairs required more methodic care. Therefore, April 13, 1851, James Mathers, Sherman Day, and Thomas Douglas were elected Elders, while the pastor, Mr. Brayton, was requested to keep the records. Prior to the period of which we now write it had been in contemplation to alter the designation of the church to that which it now bears, but at the meeting of 13th April, where the question of the form of government was mooted, it was unanimously decided to leave it unchanged, their position being that of an Independent Presbyterian Church; while, the subject of connection with any ecclesiastical body of the State remained for decision whenever such union might be deemed desirable by any member of the church. In the latter part of 1851, owing to his association with the religious periodical, *The Pacific*, published in San Francisco, Mr. Brayton was compelled to absent himself from his charge for indefinite periods, therefore judging it expedient to enter upon this new field of labor entirely, he tendered his resignation, which took place about January 5, 1852. On the 13th of that month there arrived in San Francisco under appointment of the American Seamen's Friend Society the Rev. Eli Corwin, the appointee to the Chaplaincy of that port, but finding on reaching his destination that the position had been filled while he was journeying around Cape Horn, he acceded to the solicitation of the Presbyterian Church at San José to become their stated supply until he could obtain a release from the Society which had sent him to California, or could learn their will as to his future employment. Mr. Corwin first visited San José

and preached February 22, 1852, and about March 1st made an agreement to supply the church for six months, but not arriving until the last Sabbath in March, the 28th, Mr. Brayton in the interval occupied the pulpit and preached his farewell sermon on the 21st. Meanwhile the Seamen's Friend Society had released Mr. Corwin from any bond which he thought might bind him to them, therefore the request for his labor as stated supply and the subscription for his support were renewed for another half-year commencing September 1, 1852. On March 6, 1853, one year after his engagement as stated supply of the church Mr. Corwin preached an anniversary sermon at the conclusion of which he informed the congregation of the receipt by him of an urgent solicitation from the American Seamen's Friend Society to become their Chaplain at Callao, Peru, which he would regard as his duty to accept if it should not appear that the wants of the then field of his labors were of paramount importance. On learning of this proceeding a meeting of the church and congregation was convened on that same afternoon when it was unanimously resolved, "That the members and congregation of the church entertain the highest appreciation of the services of the Rev. Eli Corwin and desire by all means to secure his services as permanent pastor of the church." The care of communicating the resolution to Mr. Corwin, with the request that he signify his willingness to accept the pastorate of the church was committed to Messrs. Ryland and Smith, and action being at once taken, the preliminary arrangements were duly ratified and on Wednesday evening April 20, 1853, the call having been perfected by the church, approved by the Presbytery, and accepted by Mr. Corwin, he was installed as pastor, the inaugural services being conducted by Revs. F. Buel, I. H. Brayton, T. D. Hunt and S. H. Willey. On April 3d of this year, James Mathers, Sherman Day and Thomas Douglas were unanimously re-elected Elders, while on May 1st, Mr. Corwin preached his initial sermon as permanent pastor, taking his theme from Ezekiel 13: 12, "Lo, when the wall is fallen shall it not be said unto you where is the daubing wherewith ye have daubed it?" On August 19th, Mr. Corwin was the victim of a most serious accident by being thrown from his carriage, indeed so severely injured was he that it became necessary to amputate his right leg below the knee, while, during his illness the pulpit was regularly supplied by various clergymen who considerably had volunteered their services, but it was not until the 30th October that Mr. Corwin was enabled to resume his duties. Nothing of particular moment in the history of the church would appear to have taken place during the remainder of 1854 and the early months of 1855, save that on April 1st of that year Elijah S. Ruggles, Sherman Day and Dr. J. C. Cobb were elected Elders; indeed, the same remark applies to the year 1856, when April 16th Sherman Day, Thomas Douglas and James M. Cutler were preferred to the position of Elders. On November 5th of

this year Mr. Corwin, with the approbation of the officers of the church and society, left San José on a visit to the Eastern States for a period of twelve months, during which time worship was conducted by Rev. Messrs. Freer, Daniels, Dr. Scott, Buell and Hunt, each on one Sabbath, and Dr. Bushnell on two Sabbaths, after which there were no regular services, until March 1, 1857, when Rev. I. H. Brayton was engaged to minister to the devotional wants of the congregation, up till such time as Mr. Corwin should return, but only officiating for a few Sabbaths he was succeeded by Rev. Mr. Pierpont. On April 5th, at the annual election for Elders, Messrs. Day, Cutler and Douglas were again chosen to fill these responsible offices. At the end of eleven months Mr. Corwin returned to his care of the church and preached on the morning of October 10th an appropriate sermon from 2 Cor. 2:21, "But I determined this with myself that I would not come again to you in heaviness."

From the middle of November, 1857, to January 3, 1858, no services were held on account of the church undergoing repairs. It may be remembered that at a meeting held April 13, 1851, the advisability of changing the name of the church had been discussed and laid over for some future time. It would appear that the question was again raised in 1858, as the following excerpt from the church records will indicate: "At a meeting of the church held at the house of worship on this third day of June, 1858, and duly constituted with prayer by the pastor, it was unanimously resolved, that whereas, that certain informalities have been observed in the making and recording of a certificate of incorporation of the Ecclesiastical Society connected with this church, rendering it desirable to re-organize the said society and file a new certificate of incorporation, therefore it is resolved *at this time* to change the name of this church from that of the Independent Church of San José to *The First Presbyterian Church of San José*, by which style and title it shall hereafter be known." This resolution, however, did not take effect, except in the name of the church, until some years later, [March 19, 1865.] In the month of October (there are no means of arriving at the correct date on account of a discontinuity in the records), Mr. Corwin would appear to have severed his connection with the church, for we find that after a vacancy of seven months, the Rev. L. Hamilton in due form entered upon his labors as pastor, May 1, 1859, but he was not regularly installed into the spiritual charge and oversight of the church and congregation until August 5, 1860, when the sermon was preached by Rev. E. S. Lacy, of the First Congregational Church, San Francisco; Charge to the Pastor by Rev. A. W. White of Gilroy, and the Charge to the Church by Rev. W. W. Brier of Alvarado. Mr. Hamilton's incumbency continued until the end of 1864.

On January 5, 1865, it was decided to extend a call to the Rev. William Wisner Martin, of San Francisco, which was accepted by that gentleman

January 10th. We may here notice that the Elders who signed the call to Mr. Martin were Thomas Douglas and James M. Cutler, while appended to the document are also the names of five trustees, viz.: J. C. Potter, James C. Cobb, A. J. Houghton, Levi H. Hare, and M. Leavenworth. Mr. Martin was duly installed and entered upon his duties with much fervor. At a meeting over which he presided held March 19, 1865, the rule in respect to the election of Elders, passed April 13, 1851, was repealed and the following order substituted: "*Resolved*, That we now proceed to elect by ballot two Elders to serve for four years, and two others to serve for two years; and that from this time onward the number of Elders in this church shall be four, two to be chosen at the expiration of every two years, and the term of office for each to be for four years; and if at any time this biennial election should be omitted, those previously chosen, whose term of office was then to expire, shall be considered as having been re-elected and shall continue to discharge the duties of the position in the same manner as if chosen in full form." Upon the adoption of the foregoing, Thomas Douglas and James M. Cutler were chosen for the period of four, and Levi H. Hare and F. A. Bancroft for two years. These proceedings ended the pastor addressed the meeting at considerable length, upon the position of the church as an independent organization, and earnestly requested them to unite with the Presbytery of San José, and thus connect theirs with the General Assembly of the New School Presbyterian Church. In the course of his remarks Mr. Martin read a letter from Rev. L. Hamilton, his predecessor, strongly urging the same measure. The following resolution was then offered by Mr. James Cutler: "*Resolved*, That we connect ourselves with the New School Presbyterian Church through the Presbytery of San José, and that our pastor be appointed a committee of one to present our wishes to the Presbytery in proper form." A discussion, indicating on the part of some to have the matter postponed, then ensued, when the resolution was put to the assembly and carried by a vote of forty in favor to five in opposition. Thus it was not until March 19, 1865, that the present name of the church was assumed. In this month the Rev. Mr. Martin was taken ill, so much so that he was obliged to leave his church and congregation for the purpose of obtaining the best medical advice possible, while such was the esteem in which he was held that he was accompanied in his journey to San Francisco by several of his parishioners. During his illness and absence the pulpit was supplied by different clergymen, among them being Rev. J. H. McMonagle, Hospital Chaplain, U. S. A., who, April 16, 1865, the first Sabbath after the assassination of President Lincoln, preached a memorial sermon admirably adapted to the occasion though with but a very few hours for preparation; while among others who officiated were the Rev. W. M. Martin, the father of the incumbent, and the Rev. Messrs. Taylor, Bannister, Tuthill and Webber. We cannot do better in this place than

quote the sympathetic lines of Thomas Douglas, the Clerk, as recorded on New Year's day, 1866. He says: "The history of our church during the past year is one of mingled joy and sorrow. At its commencement the Rev. William Wisner Martin, a graduate of Yale College and of the Union Theological Seminary of New York, a young clergyman of great promise, had just entered upon his pastorate amongst us with the highest prospects of usefulness. He had been invited to labor amongst us with great cordiality and unanimity. From the very first his preaching seemed to be attended with the special influences of the Spirit. A deep religious interest was soon manifest in the congregation, especially among the children and youth connected with the Sabbath-school. The regular church prayer-meetings soon became full and interesting, and other meetings were appointed which were equally well attended."

Mr. Martin never returned to his parish, but was succeeded by Rev. James S. Wylie as stated supply. On June 10, 1866, on the congregation learning that he had calls from the Presbyterian Church in Napa and that in Portland, Oregon, a meeting was held, when it was proposed by Josiah Belden, that a request be extended to Mr. Wylie to become the permanent pastor of the First Presbyterian Church of San José. On the following day a call was addressed to Mr. Wylie by Elders Thomas Douglas, James M. Cutler, and Levi H. Hare, and Trustees James C. Cobb, China Smith, A. J. Houghton, Levi H. Hare, and Mark Leavenworth, and by him accepted, under date July 20, 1866, but ere commencing his duties he received six weeks' leave of absence, during which the pulpit was occupied by the Reverend Messrs. George Pierson; McLaren, Chaplain of the United States steamer *Lancaster*; S. T. Wells; and Professor Tuthill, of Santa Clara; Mr. Wylie resuming his labors, meanwhile, and preaching July 22, 1866. The only other item of importance to note, as having occurred in the year 1866, was an invitation to the Rev. A. B. Earl, the Evangelist, to give the city of San José the benefit of his labors; such a request was not matured, however, without several conversations between the pastor and members of the church, as well as with those of other churches, and the proposition being accepted, he commenced preaching January 23, 1867, the meetings being held, principally, in the edifices of the Methodist, North; Presbyterian; Baptist; and Methodist, South; the members of the church, now under notice, joining in all the numerous and varied services, with much unanimity and cordiality. These meetings, it is said, were crowded during the two weeks of Mr. Earl's sojourn, not alone by church members, but by numerous citizens unconnected with any denomination, while the impression made was solemn and lasting. As a result, about two hundred subsequently united with the different churches. Owing to the departure of F. A. Bancroft from San José, an election for one Elder to fill the vacancy, was held, April 13, 1867, when also it was recom-

mended that Deacons should be elected to attend to the wants of the poor of the church. In accordance with these, the following rule amendatory to that passed March 19, 1865, was adopted: "The officers of this church shall hereafter consist of four Elders and four Deacons, two of each class to be chosen at the expiration of every two years, and the term of office for each person so chosen to be for four years, and if at any time this biennial election be omitted, those, whose term of office was then to expire, shall be considered as having been re-elected, and shall continue to discharge the duties of their position in the same manner as if re-chosen in full form. Said biennial election hereafter to take place on the first Sabbath in April, and the term of those now in office, and of those now to be chosen, shall expire on that day instead of on the 19th of March, as formerly." A ballot was then taken which resulted as follows: Edward Percy Reed, Elder for four years; John B. Price and Elbert Joseph Wilcox, Deacons for four years; Isaac Bird and A. J. Houghton, Deacons for two years.

May 23, 1867, consequent upon the intention of Mr. Wylie, expressed at a meeting held April 1st, of that year, to withdraw from the Old School Presbytery and unite with the New School, the reverend gentleman was installed by the Presbytery of San José as pastor, the following clergymen taking part in the inductional services: Reverends Charles Wadsworth, D. D., of San Francisco; J. M. Alexander, of San Leandro; W. W. Brier; G. Pierson, of Brooklyn, and L. Hamilton. On October 10, 1868, Mr. Wylie started overland to the Eastern States, on leave of absence, for the benefit of his health; while, on the 21st, the following note is recorded: "This morning about eight o'clock, occurred the severest earthquake that has been known in California, since its occupation and possession by citizens of the United States. Our church edifice was greatly damaged. The brick tower in front, upon which rested the tall spire, was badly cracked and shattered, the small ornamental turrets standing upon the corners, excepting one, were all thrown down; one of them passing through the roof, swept along with it the frame-work of the ceiling, with the lath and plastering over the orchestra, filling it with rubbish and broken timbers, breaking with its weight, and almost covering up the melodeon with a mass of ruins; at the same time communicating such a shock to the entire ceiling of the audience room, as to throw down a large portion of the plastering and of the thicker and heavier cornice work, thereby damaging the seats, cushions and carpet, thus rendering the whole building unsafe and unfit for purposes of worship, without thorough, extensive, and expensive repairs." After this catastrophe, prayer-meetings were held in the hall of the Young Men's Christian Association.

In reference to the leave of absence granted to Rev. Mr. Wylie, that gentleman returned to California at the end of four months with his health unimproved. He therefore proceeded directly to Napa, and from there under

date March 15, 1869, tendered his resignation to the Elders and Trustees of the First Presbyterian Church of San José, which was duly accepted in meeting assembled, March 25th. We have said above that after the earthquake the usual prayer-meetings were held in the Young Men's Christian Association's building; it should also be mentioned that no separate denominational services were held, but the congregation, according to preference, worshipped with the other religious bodies in the city, but on April 4th the repairs to the building being then in the course of completion, Varney's Hall was secured and the assistance of Rev. P. V. Veeder of the City College, San Francisco, engaged. At the regular biennial meeting held on this day the following elections took place: James M. Cutler and Thomas Douglas to be Elders for four years, (re-elected); and Isaac Bird and China Smith, the latter of whom was chosen in the place of A. J. Houghton, who was so ill that it was thought he would be unable to live, to be Deacons for a like term. Let us for a moment take a retrospective glance at the affairs of the church. It will be unforgotten that the Rev. James S. Wylie tendered his resignation after a journey to the Eastern States, March 15th—such retirement to take effect from the first of that month—which was accepted on the 25th. On the 8th of April the Presbytery of San José approved the same and appointed Rev. F. L. Nash to officially declare the church vacant, a duty which was performed by him at a meeting held April 18th, in the school-room over Armory Hall. The Elders and Trustees then commenced the labor of procuring a fit successor; prominent clergymen in San Francisco and elsewhere recommended various ministers, conspicuous amongst them being Rev. Dr. Cunningham of Philadelphia. Meantime the necessary repairs to the church caused by the earthquake, were completed at a cost of about five thousand dollars, and the Rev. Eli Corwin, one of the earlier pastors, engaged to preach the re-dedicatory sermon on Sabbath, May 16, 1869. An attempt was made at this time to obtain the services of Rev. J. P. Moore, who had occupied the pulpit on several occasions, for six months, on a regular salary, but owing to pre-engagements in San Francisco he was unable to fulfill their desires, thus the church was without a regular pastor until the engagement of Rev. James A. Skinner as stated supply for two months, pending the fruition of their labors. All hopes of obtaining Dr. Cunningham as pastor were for the while abandoned, and September 2, 1869, it was voted to call the Rev. Jesse W. Hough, of Jackson, Michigan; this, however, was declined by telegram. While the pulpit was without a permanent minister, vacant by the resignation of Rev. James S. Wylie, intelligence was received of the untimely death of that gentleman at Napa, October 28, 1869. At a meeting of the Session held October 31st, the Rev. James A. Skinner, acting as moderator, was requested to prepare resolutions expressive of their feelings in view of the death of their late pastor, these being adopted

November 4th, and are as under: "WHEREAS, This Session has learned with regret of the death of Rev. James A. Wylie, who entered into rest at Napa, on Thursday, October 28th, in the thirtieth year of his age, having for three years been the faithful pastor of this church; therefore, *Resolved*, First, That while deeply mourning this afflictive dispensation of God's holy Providence in the early death of one so gifted, earnest and successful in the work of the ministry; who showed himself among us, approved of God, a workman who needeth not be ashamed, rightly dividing the word of truth, we can but rejoice in the covenant faithfulness of the Great Head of the church, who made our beloved brother a gracious instrument for good to this congregation, comforted him during his months of languishing pain, and manifested his loving presence and saving power in his triumph over death. Second, That we tender to the relatives of our pastor, especially to his father, Rev. James Wylie, and to his brother, Rev. Richard Wylie, our heartfelt sympathy in this bereavement, and the earnest assurance that they are remembered in the prayers of a people grateful for the fidelity and zeal of one so dear to them in his work of winning souls to Christ." On motion these were unanimously adopted, while it was voted to send a copy of the same to the father and brother mentioned above, as also a transcript to each of the religious papers, the *Occident* and *Pacific*, with the request that the same might be published.

After failing to procure the services of Dr. Cunningham, several letters were received by the Session highly recommending Rev. William Alexander, of Beloit, Wisconsin, to whom a call was sent, which he accepted by letter arriving October 26th. He arrived in San José on the 22d of November, and on the Sabbath next ensuing, the 28th, commenced preaching; the same being the expiration of the period for which Rev. Mr. Skinner had been engaged as stated supply. Of this gentleman we find the following valedictory record: "The able services and faithful labors of Mr. Skinner, during the two months in which he had been with us as stated supply, having been very acceptable to the church and congregation, a farewell gathering, numerously attended, was held for him on the eve before his departure, at the residence of Dr. Benjamin Cory, at the close of which, as an expression of our gratitude, and as a parting memento, a purse of over two hundred dollars in gold coin was presented to him, in addition to the stipulated salary which had been previously paid him."

At the commencement of the year 1871, a statement of expenditure, consequent on the earthquake of October 21, 1868, is minuted. It proves that expenses under that head amounted to no less than five thousand dollars; Before that time, says Mr. Douglas, the Clerk, in a note, a suitable building for a pastor's study had been erected, and fitted up, on the church lot; alterations and repairs, somewhat extensive, had also been made in the old

church building used for conference and prayer-meetings, and for the holding of Sabbath-school, while, during the year 1869, a bell had been purchased and suspended in the tower of the church, at an expense of eleven hundred dollars. This sum, with a few extras, made the church liability, at the beginning of 1871, to be about seven thousand, two hundred dollars. To liquidate it, a plan was proposed to the trustees, by George H. Hare, to divide the debt into three hundred shares, of twenty-four dollars each, to be taken and paid for at the rate of fifty cents per week on each share, which was unanimously acceded to by the Board. Mr. Hare, himself, undertaking to collect the weekly subscriptions on the shares thus taken. On April 2d, the election of the following officials took place: Levi H. Hare, Henry Highland Reynolds, Elders for four years; James C. Cobb, M. D. (who, declining to serve, was, on June 22d, succeeded by Dr. Berryman Bryant), Thomas Douglas, Elders for two years; John B. Price, Elbert Joseph Wilcox, Deacons for four years; Isaac Bird, China Smith, M. D., Deacons for two years; and, on the 25th of the same month, at the semi-annual meeting of the Presbytery, held at Centerville, Mr. Douglas was chosen as Lay Commissioner to accompany Rev. John Edwards, appointed Clerical Commissioner to the General Assembly of the Presbyterian Church, convened that year at Chicago. Mr. Douglas was absent from May 9th until August 11th. It should here be stated that, on May 19th, the pastor received an invitation to accept the Presidency of the Presbyterian (City) College, and the next Sabbath tendered his resignation (which was agreed to), to take effect from 1st June, Mr. Alexander preaching his closing sermon, May 28, 1871. At this time, the Rev. John F. Kendall, a brother of Rev. Dr. Kendall, Secretary of the Presbyterian Board of Home Missions, and late pastor of a Presbyterian Church in Columbus, Ohio, who had been preaching with great acceptance in San Francisco, on July 2d, officiated in the pulpit just vacated by Mr. Alexander, and so pleased were the congregation with him, that at a meeting held July 9th, it was resolved to request Mr. Kendall to become their pastor, a call which was, however, declined. During the time between the calling of the last-named clergymen and the middle of the month of September, services were performed by different ministers, among them being Rev. Eben Munson Betts, of the Congregational Church in Santa Barbara, who so favorably impressed his hearers, that on September 17th, it was decided, in meeting assembled, to extend a call to him. The document, which was signed by E. J. Wilcox, E. P. Reed, H. B. Alvord, C. S. Crydenwise, Clarence L. Anderson, Trustees; B. Bryant, Thomas Douglas, L. H. Hare, H. H. Reynolds, Elders; and E. J. Wilcox, J. B. Price, China Smith, Isaac Bird, Deacons; was duly transmitted to Mr. Betts, who accepted by letter dated October 2d, arrived in San José, about the middle of the month, and commenced preaching October 22d, 1871, being afterwards installed by the

Presbytery, January 20, 1872, on which occasion the following clergymen took part: Reverends John Hemphill, of Calvary Church, San Francisco; A. J. Compton, of Watsonville; S. W. Webb, of Alameda; A. M. Stewart, of Gilroy; and A. B. Post, of Santa Clara. We may state in this place, that in reference to the church liability heretofore mentioned, as well as the method suggested to liquidate it, on February 1, 1872, a sum of five thousand dollars had been raised in accordance with Mr. Hare's plan, while the story of the church finances then are most simply expressed in the records: "When Mr. Alexander came, we were nearly seven thousand dollars in debt. From the contributions above alluded to, and other sources, in about two years it was reduced to less than two thousand. When Mr. Betts was installed, the debt unprovided for amounted to only about sixteen hundred dollars." In the month of May of this year, a communication was received by the Board of Trustees from the Trustees of the Central Presbyterian Church, of San Francisco, offering to sell their organ for two thousand dollars. Subsequently, E. P. Reed, acting for the Trustees, ascertained that the best terms on which the instrument could be purchased, were as follows: Two thousand dollars in gold coin, payable December 1, 1872, the organ to be delivered on the cars at the depot in San Francisco. To defray this and attendant expenses, a subscription sheet was drawn up, and circulated among the members of the church and congregation, and, in an exceeding short time, more than the entire amount was pledged, the bargain being closed June 28th. To accommodate the instrument, the niche to the back of the pulpit, in the rear wall of the church, was enlarged, by removing the brick work, and extending it outward, at a cost, for material and mason work, of three hundred dollars. Due preparation having thus been made, Messrs. McCraith & Shellard, of San Francisco were employed to set it up, their expenses being some two hundred and twenty-five dollars; and in the course of a week, the instrument was in its place, and ready for use, the expenditure being, up to the time, about two thousand, six hundred dollars. In this regard, the records *naïvely* state: "It was a remarkable exception to ordinary results in such cases, that our subscriptions to the Organ Fund, which were actually paid into the Treasurer, exceeded the sum expended for the organ and attendant expenses by more than a hundred dollars." Nothing of further moment in the affairs of the church would appear to have occurred during the year 1872, save that on August 29th the pulpit was occupied by Rev. John Hall, D. D., of the city of New York, celebrated as a preacher and distinguished for great excellence of character. During the month of August, 1873, Rev. Mr. Betts received a month's vacation, when his duties were performed by Reverends Clement E. Babb, D. D., and J. Rowell, Chaplain of the Seaman's Church, San Francisco; while, about this time the finances of the church were pro-

nounced to be in a not very flourishing condition. To relieve it, however, of the incubus of debt, several schemes were devised, efforts were made on the part of the Trustees to rent the pews in such a manner as to raise as much money as possible, and all other means resorted to by the ladies and other members of the congregation to obtain funds, still, the point where steady and regular income would meet current expenses had not been gained, it was therefore in meeting unanimously voted that the plan known in the Eastern States as the *Envelope System* should be adopted. In addition to this a railroad excursion to San Francisco which netted more than three hundred dollars was undertaken, while, by means of the indefatigable exertions of certain ladies of the church, a large sum was added, for which they received the unbounded thanks of all, the Trustees at the same time, January 3, 1874, passing the following resolution: "*Resolved*, That the thanks of the Trustees are due, and are hereby tendered to Mrs. Dr. B. Bryant, Mrs. E. M. Betts, Mrs. Dr. China Smith, and Mrs. Dr. Spaw, for their patient, untiring, and successful efforts in collecting the sum of three thousand eight hundred and eleven dollars and twenty-five cents, which has been applied as follows, viz., three thousand three hundred and three dollars and fifty cents in payment of the interest-bearing debt of the church, and five hundred and seven dollars and seventy-five cents paid over to the Treasurer. *Resolved*, That the Clerk be instructed to read this resolution before the society at the annual meeting, and to spread the same on the minutes." Thus by "putting the shoulder to the wheel," the new year of 1874 saw the church liabilities reduced to but one thousand dollars. In the month of April a change in the mode of church praise had been effected, the quartette being disbanded and Professor J. H. Elwood appointed leader of the new choir, while Everett Pomeroy was engaged as organist. On May 3, 1874, we find an election of Elders was held, when Frederick Field was selected to fill the unexpired term of Levi H. Hare, who, with his son George H. Hare, had removed to Kern county. The first of these gentlemen had been for a number of years a most faithful and efficient Elder, while the last had been, for fifteen months, the eminently successful Superintendent of the Sabbath-school. In this month the question of increasing the number of Elders and Deacons occupied considerable attention, a meeting to discuss the matter was therefore convened June 14th, when prior to its ventilation, the resignation of Deacons John B. Price and China Smith were placed in the hands of the Session and accepted. The following new rule was therefore prepared, commented on and adopted without dissent: "The officers of this church shall hereafter consist of six Elders and six Deacons, two of each class to be chosen at the expiration of every two years, and the term of office for each person so chosen to be for six years; and if at any time this biennial election be omitted, the officers whose terms of office were then to expire, shall be con-

sidered as having been re-elected, and shall be expected to discharge the duties of their position, in the same manner as if re-chosen in full form. Said biennial election to take place as heretofore, on the first Sabbath in April." The ballot was then proceeded with resulting as follows: Elders, Frederick Field, Henry H. Reynolds, Dr. Berryman Bryant, Thomas Douglas, Dr. China Smith, Dr. C. W. Breyfogle; Deacons, Elbert J. Wilcox, I. J. Zimmerman, John M. Fleming, George W. McLellan, John Johnston, Clark S. Crydenwise. During the vacation of the pastor mentioned above it was deemed requisite to utilize the time in making some very necessary repairs to the auditorium, when no services were held in the church; these being completed, however, Mr. Betts resumed his ministerial duties early in August. In the latter part of this year the question of inviting the Rev. Edward Payson Hammond, the distinguished Evangelist, to labor in San José, had occupied the attention of the ministers, officers and members of the different Evangelical churches, especially those of the Methodist, Baptist, United Presbyterian, and Presbyterian denominations, who having held converse among themselves, agreed with pleasant and cordial unanimity that such request should be made. It was accepted and special services under Mr. Hammond's leadership commenced on New Year's day, 1875. For more than two weeks union meetings were held every forenoon, when audiences assembled to the number of five hundred and more; at noon preachings were held at convenient places in the streets, while at 3 P. M., meetings for the benefit of children were sometimes convoked. In the evenings at seven o'clock assemblies said to average two thousand persons, listened to Mr. Hammond in the Music Hall, other ministers joining with earnest, able and impressive exhortations. As the result, hundreds professed a change and commenced with apparent heartiness the work of living Christian lives.

On April 4, 1875, an election was held for the choice of Elders and Deacons, when those holding office were retained, and on the 11th, consequent on the necessary leave granted to the pastor to attend the General Assembly at Cleveland, Ohio, to which he had been appointed Clerical Commissioner, at his suggestion, the Rev. William Howel Taylor was requested to assume the duties for Mr. Betts for the space of two months, this, however, he was compelled to decline; it was therefore decided at an informal meeting of the Session to employ different clergymen from San Francisco and elsewhere. Mr. Betts, accompanied by Dr. Berryman Bryant, left for the Eastern States May 12, 1875. In the last-mentioned month, though not a portion of our especial subject, it may be as well to state, the United Presbyterian Church, who had organized November 6, 1874, had certain members of the First Presbyterian Church dismissed to them, among these being John M. Fleming, one of the Deacons. At the expiration of three weeks Mr. Betts returned from his furlough, his duties in the meantime having been per-

formed by Reverends Sylvester Woodbridge, D. D., of San Francisco; George Moor, D. D., of Oakland; Clement E. Babb, D. D., D. W. Poor, D. D., of Oakland; J. Rowell, Seamen's Chaplain at San Francisco; and J. K. Andrews, of Mahoningtown, Lawrence county, Pennsylvania. At a meeting of the church and society, convened October 4, 1875, the following business was transacted: The Treasurer's report was presented, showing the liability of the church to be one thousand five hundred and twenty-two dollars, fifteen cents; an election of officers for the society resulted in the choice of Judge C. M. Terry for Moderator; H. H. Reynolds, Treasurer; David Bryant, Collector; Trustees, J. K. Warren, Delos G. Kent, J. R. Whiting, James Edward Baker, and E. P. Reed; Deacons were then elected to fill the unexpired terms of John M. Fleming and Isaac J. Zimmerman, the former of whom had joined the United Presbyterian Church, and the latter removed his residence to San Francisco, the choice fell upon James Edward Baker and Wesley E. Hughes; the meeting then closed for the purpose of attending the auction of pews, which promised to realize the sum of sixteen hundred and twelve dollars, fifty cents. It is always a difficult task for the casual chronicler to record with delicate force the gap caused by the death of a cherished member of a community with whom he was unacquainted. Far better is it, then, that in speaking of the death of one who had been a prominent worker in the First Presbyterian Church of San José, we should produce the touchingly simple tribute of the recording Clerk: "On Saturday, September 15, 1875, Mr. George W. Hare died at his residence on Second street in this city. He was buried from our church on Sunday, the 19th, Rev. Mr. Betts, assisted by Rev. Theodore T. Munger, of the Congregational Church, conducting the services. Mr. Munger delivered the principal address, and spoke in very strong terms of the excellent Christian character of Mr. Hare. Mr. Hare united with our church under the pastorate of Rev. James S. Wylie, on Sunday, February 24, 1867, in company with sixty-three others, and soon after the Union Revival meetings conducted by Rev. A. B. Earl. From the very outset he entered earnestly and zealously upon the work of promoting the cause of Christ. He was soon after elected Superintendent of the Sabbath-school, which position he held until declining health compelled him to resign. Under him the school was more prosperous than ever before, increasing until it reached an attendance of nearly five hundred." On October 29, 1876, during the course of the service, Rev. Mr. Betts informed the congregation that it was his purpose to resign the pastoral office on or before July 1st, giving as a reason the state of his health; at the same time expressing the hope that no opposition would be made by any one to the proposed separation. That he had still the interests of the church at heart is fully exemplified in his having spontaneously raised by donations the sum of twenty-three hundred dollars,

with which the church debt was liquidated, April 28, 1877. At the time set Mr. Betts' relation with the church in San José was severed, after six years' ministry, and on July 15th the pulpit was formally declared vacant by Rev. Dr. Babb, who agreed to discharge the duties, aided by acceptable exchanges, until the congregation could be permanently supplied. In the *interim* among those who filled the pulpit were Reverends Robert Patterson, D. D., of San Francisco; W. J. McKnight, D. D., of Springfield, Ohio; Jesse Hough, D. D., of Santa Barbara; J. Rowell, of the Seamen's Church, San Francisco; Mr. Hind of Mayfield, and Amos Jones, from Indiana.

On the 16th and 23d of September the Rev. John Paul Egbert, preached to full and interested audiences, and at a meeting of the congregation held after service on the 30th, it was unanimously agreed to request that gentleman to act as pastor for one year, which was accepted and notified to the congregation by Dr. Babb, November 4, 1878. During Mr. Egbert's vacation the matter of giving him a call was mooted; and at a meeting duly assembled it was unanimously resolved to address him the following letter: "San José, Sunday, June 2, 1878. Rev. J. P. Egbert, *Dear Sir*: We, the undersigned, in our own behalf, and in behalf of the members of the church and society which we represent, do hereby cordially invite you to accept the office of pastor of the First Presbyterian Church and congregation in this city. We fully endorse the pledges contained in the votes above recorded. If you accept our call, it is our fervent hope and earnest desire, that you may rely upon and actually receive in all your labors of love amongst us, the hearty co-operation, sympathy and love, of our entire church and congregation. We solicit an early reply, and that you may be guided in your deliberations and final decision, is the sincere desire and prayer of, Yours in Christian affection, China Smith, Thomas Douglas, Frederick Field, C. W. Breyfogle, H. H. Reynolds, Elders; A. S. Evans, E. P. Reed, E. J. Wilcox, Chris. Bergstrom, D. G. Kent, Trustees; W. E. Hughes, E. J. Wilcox, J. E. Baker, C. S. Crydenwise, G. W. McLellan, John Johnston, Deacons."

To this communication Mr. Egbert replied, under date July 25th, accepting the charge, but naming certain conditions of a private character, which he desired should be made the subject of consultation at a meeting of Session; such was had July 27th, the conditions read and commented upon and voted unanimously "that the call to the Rev. J. P. Egbert be continued, the conditions named by him being accepted, and that they be read to the congregation." On Sunday the 28th, this was done by Rev. R. L. Stewart, who congratulated the church and society in securing the services of a minister of the Gospel, on whom God had graciously bestowed such remarkable endowments of head and heart. He was duly installed November 3, 1878, the following clergymen assisting: Rev. Dr. Eells, of Oakland; Rev. C. E. Babb,

D. D., and Rev. I. N. Hurd. October 17, 1878, an election of office-bearers took place, leaving that part of the executive affairs of the church to be: Elders—Frederick Field, Henry H. Reynolds; term to expire on first Sabbath in April, 1881. Amos S. Evans, Thomas Douglas; term to expire first Sabbath in April, 1883. Dr. China Smith, Dr. Charles W. Breyfogle; term to expire first Sabbath in April, 1879. Deacons—John Johnston, Clark S. Crydenwise; term to expire first Sabbath in April, 1879. Elbert J. Wilcox, Wesley E. Hughes; term to expire first Sabbath in April, 1881. George W. McLellan, Edwin Mears; term to expire in April, 1883. In the minutes of Sessions under date March 10, 1879, we find the following note: "According to the terms of Mr. Egbert's acceptance of the pastorate, it was expected that he would make a journey East in the course of the approaching Summer. In consequence, however, of the state of his health for some weeks past, and the urgent advice of his physician, he concluded to anticipate the contemplated time, and to leave at an earlier date. Accordingly on Wednesday morning, the 5th instant, he left San José for San Francisco, preparatory to his journey by rail across the continent, and to-day, Monday, he has taken his departure from that place, expecting to be absent some four months or more. Before leaving he made an arrangement with Rev. C. E. Babb, D. D., to supply the pulpit for some weeks." April 6, 1879, the biennial election of officers was held, but no change in their disposition was made, Doctors China Smith and C. W. Breyfogle being re-chosen as Elders for six more years, and Messrs. John Johnston, and C. S. Crydenwise as Deacons for a like term. It is now our pleasing duty to record one of the most interesting events in the long history of the Church now under notice. On Sunday evening, April 20, 1879, seven Chinese, six men and a woman, were received into the First Presbyterian Church of San José, three of the former having brought letters from the San Francisco Church, while the remaining three were admitted on profession of their faith in Christ. The services were conducted by the Rev. Dr. Loomis of San Francisco, while a serious, attentive, respectable body of fifty Chinamen occupied front seats in the body of the church, attracting attention by their gravity and dignity. We have not space to follow this interesting fact to its close, nor time to be with the eloquent and learned Doctor in his discourse, yet we readily seize the opportunity to place upon record the words of "M. H. F." (Mrs. M. H. Field), in a newspaper report of the proceedings: "It would be hopeful for the future of California if its young hoodlums, like those who occupied the gallery on Sunday evening, disturbing the congregation by their noisy restlessness, gave promise of as peaceable and useful a manhood as these poor foreigners!" Sunday, June 1, 1879, Dr. Babb preached a discourse in memory of Miss Anna B. Cobb. The records state: "For more than nineteen years she had been an active member of our church, and during the most of that time, a teacher in our



J. P. Dudley



Sabbath-school. In works of charity and benevolence, relieving the wants of the poor, visiting the sick, and in all appropriate ways promoting the welfare of the church, she had borne a conspicuous part. In her death, we all feel that the church has lost a most efficient helper."

Mr. Egbert returned from his journey, which had included a tour in Europe, September 25, 1879, with restored health and to the great joy of his congregation. During his absence the pulpit had been occupied, from March 9th to September 21st, by the Reverend Messrs. John M. Allis, San Francisco; A. S. Fiske, San Francisco; H. H. Rice, Sacramento; C. I. Haley, Newark, New Jersey; S. Woodbridge, D. D., San Francisco; J. M. Newell, Santa Clara; A. W. Loomis, D. D., San Francisco; J. S. McDonald, San Rafael; R. Wylie, Napa; L. Y. Hayes, Berkeley; C. C. Stratton, D. D., Pacific University; C. E. Babb, D. D., San José township; R. McKenzie, Stockton; and Dunn and Todd, of the Methodist Conference. May 10, 1880, Mr. Egbert left to attend the General Assembly at Madison, Wisconsin, and returned July 30th, when he and his recently espoused wife, received a numerous and joyful welcome from the congregation. October 3, 1880, the present Elders and Deacons were ordained and installed. Elders—Frederick Field, Henry H. Reynolds, term of service to expire first Sabbath in April, 1881; Amos S. Evans, Thomas Douglas, term of service to expire first Sabbath in April, 1883; China Smith, C. W. Breyfogle, term of service to expire first Sabbath in April, 1885; Delos G. Kent, James McG. Patterson, term of service to expire first Sabbath in April, 1887. Deacons—Elbert J. Wilcox, Wesley E. Hughes; George W. McLellan, Edwin Mears; John Johnston, C. S. Crydenwise; David A. S. Eyster, Ezra B. Lewis, whose terms of service are in respective accordance with those of the Elders mentioned above. The Sabbath-school in connection with this church is well attended. We cannot close this lengthy notice without expressing a deep debt of gratitude to the pastor and Session for having placed their Records at our disposal whereby we have been enabled to give a history, complete in its salient points, of this the first Protestant Church organized in the city of San José.

Methodist Episcopal Church.—This church is situated on the west side of Second street, near the corner of Santa Clara Street. The organization of the society was effected in the Fall of 1849, at the residence of Mrs. S. Young, by the Rev. William Taylor, with the following members: William Campbell, Mark Williams and wife, Asa Finley and wife, John Jones and wife, Mrs. Nancy Young, and a French gentleman and his wife, whose names are forgotten. Very soon after, a building on Third street, opposite Moody's mills, was purchased by them and dedicated to the worship of God by Rev. Isaac Owens, early in the year 1850. July, 1853, it was moved to the corner of Second and Santa Clara streets, enlarged, and in possession of a Sabbath-

school which already numbered forty-five pupils. The Rev. E. Bannister, Principal of the first incorporated San José Academy, was also the first Superintendent of the Sabbath-school, and after a term of two years was succeeded by a no less successful educator than Freeman Gates. Notwithstanding the growth of the city had been retarded by its ceasing to be the capital of the State, this church widened its borders, and having purchased the lot upon which the present edifice now stands, erected upon it in 1868 a frame building capable of holding six hundred persons. Then, as now, the anti-Chinese feeling passed through every grade of opposition and rancor. The Methodists, with a courage and love for souls worthy the Master who inspired them, had already shown their interest in the Chinese of San José, by trying to establish a mission among them. On the 22d of February, 1868, this church was theirs with not a dollar of debt against it; but ere the following morning the torch of a supposed anti-Chinese incendiary had been applied to it, and nothing of the material possessions so highly prized was left save the key which was in the possession of the sexton. The loss was eighteen thousand dollars.

Undaunted, however, the congregation proceeded to build another edifice on the site of the one destroyed, meanwhile, holding services in Murphy's Hall, on Market street, and in the Presbyterian church. Their present church, completed and furnished, at a cost of twenty-one thousand dollars, was dedicated on the 18th of July, 1869, Bishop Kingsley preaching the sermon. Since then its growth has been steady and rapid. The Sabbath-school numbers four hundred and fifty scholars, with Henry French as present Superintendent. There have been seventeen pastors appointed to the charge since its organization as follows: Reverends Charles McClay, William J. McClay (twice), — Brier, Robert R. Dunlap, William Hulbert, John Daniels, — Phillips, P. Y. Cool, Thomas Dunn (twice), P. G. Buchanan, Isaac Owens, D. A. Dryden, John R. Tanzy, E. S. Todd, C. C. Stratton, R. L. Horford, Frank F. Jewel.

Methodist Episcopal Church, South, San José.—In the latter part of April, 1850, Joseph Baring, D. D., Superintendent of the Mission of the Methodist Episcopal Church, South, in California, came to San José, and preached there for two months, but he did not, at this time, organize a society, having no man at his command with whom to supply it as a pastor. One year later, in April, 1851, Rev. A. L. Wynne was appointed to the San José Mission, and on the twenty-fifth day of May, 1851, he organized a society of nine members. Their names are as follows: Charles Campbell, Nancy Campbell, Margaret Campbell, Elizabeth Ray, Alexander Hatler, Nancy Hatler, Marcus Williams, Susan Williams, and J. W. Powell. Such was the origin of the Methodist Episcopal Church, South, in San José. In April, 1852, the Mission in California was organized into an Annual Confer-

ence, called the Pacific Annual Conference, and the Rev. Mr. Wynne was re-appointed to the San José charge. During this ecclesiastical year, the church erected its first building, which was a brick structure, situated on the corner of Second and San Fernando streets. This old brick building, as it is now called, when spoken of, was used by the church as a place of worship until the Fall of 1874, when it was removed to give place to the present wood structure, now used by the church as a house of worship, which now stands upon the same ground that was occupied by the old brick. The present frame building was erected during the pastorate of Rev. Mr. Hopkins, whose pastoral term embraced a period of three years. In April, 1853, the first Annual Conference, of the Methodist Episcopal Church, South, was held in San José, in the old brick church, and Mr. Wynne was again appointed to the San José charge. Mr. Wynne was succeeded, as the pastor of this church, in 1854, by the Rev. Mr. Grayham. In 1855, Rev. B. F. Johnson was the pastor. In 1856 and '57, Rev. O. P. Fitzgerald, D. D., was the pastor. He was succeeded in the pastorate by the Rev. J. C. Simmons, who served the church, in that capacity, for two years. Rev. Mr. Rubel was the successor of Mr. Simmons, and served the church, as pastor, in 1860. Rev. Morris Evans was pastor in 1861, and Rev. Joseph Emory in 1862. Rev. O. P. Fitzgerald, D. D., was returned to this station in the Fall of 1862, and served the church, as pastor, in 1863 and '64. Rev. George Sim was the pastor in 1865 to '67. Rev. W. F. Compton was pastor in 1868 and '69, and Rev. A. M. Bailey, in 1870. In the Fall of 1870, Rev. George Sim was again appointed to this charge as pastor, and served the church for two years. Rev. J. C. Simmons was again the pastor in 1873. Rev. Mr. Hopkins came to the charge as pastor in the Fall of 1873, and remained until the Fall of 1876. We have already said that the present church edifice was built under the supervision of Mr. Hopkins, as the pastor. Mr. Hopkins was succeeded, in the pastorate, by the Rev. E. K. Miller, who remained two years; and Mr. Miller was succeeded by the present pastor, Rev. H. B. Avery, who, at this writing (October 15, 1880), is closing his second year.

The membership of this church has never been unmercifully large at any one time, yet from the time of its organization to the present she has gathered within her fold more than a thousand members. These members have been morally educated by her institutions and ordinances, her solemn vows, her hymns of love and praise, and the gospel that has sounded out from her pulpit from Sabbath to Sabbath for all of these twenty-eight years of her organic existence. Many of her members have died in the faith, and have gone to join "the church of the first-born," and many more have moved off, and have become useful and honored members of the church elsewhere. Her present membership is one hundred and fifty-five. United effort upon the part of this present membership will enable them to be a moral power

for good in the Garden City as this church has been ever since its organization. The following Bishops of the Methodist Episcopal Church, South, have visited San José, and preached to the church here, on their episcopal tours. Soul and McTyre of Tennessee, Andrew of Alabama, Kavanaugh of Kentucky, Pierce of Georgia, Wightman of South Carolina, Doggett of Virginia, Marvin of Missouri and Keener of Louisiana. It is a coincidence that may be a matter of pleasure to some of the members of this church that the original membership of this society was nine, and since that time exactly that number of her Bishops have visited them, and dispensed unto them the word of life.

This church has had a Sunday-school in active operation nearly all the time since it had an existence, but its records do not show who was its first Superintendent, and who had been his successors in office. We regret that we cannot give the names of the original members of the school, and also of its officers from the time of its origin to the present, but the records are so meager that we can only glean the fact stated above, which shows that the church has never been wholly neglectful of the Sunday-school interest. The present statistical state of the school is as follows: Eleven officers and teachers, eighty scholars, one hundred volumes in the library, eleven magazines taken, forty lesson quarterlies, forty *Sunday-school Visitors* and forty *Little People*. The *Visitor* and *Little People* are papers published at the Southern Methodist Publishing House, at Nashville, Tennessee, for the children of the church. John Selby is the present Superintendent; W. L. Courtney Secretary; Henry Langhorne Librarian; and Miss Mattie Trimble Treasurer. Rev. H. B. Avery, Rev. J. M. Lovell, Mrs. Knox, Mrs. Curtis, Mrs. Stone, Miss Susie Crenshaw, Miss Norma Freschlage and Miss Lucy Woodson are teachers in the school. The school ought to be much larger than it is and if the members of the church would only interest themselves in it they could soon double its present membership.

Trinity Church (Episcopal) San José.—Rev. S. S. Etheridge began the regular services of the Protestant Episcopal Church, in San José in November, 1860, occupying the old City Hall. Previous to this time, Bishop Kip had held service occasionally in San José, when the use of the Presbyterian church was courteously given him. The first organization of the parish of Trinity church was made in February, 1861. Trinity church was built in 1863, being completed in November of that year. The Rev. S. S. Etheridge continued in charge of the parish until his death in February, 1864. After his death the Rev. T. A. Hyland officiated for some months. The Rev. D. D. Chapin was then called to the rectorship, and remained in charge until January, 1866. During this period, the mortgage upon the church lot was removed, and improvements were made upon the church and grounds. In April, 1866, the Rev. E. S. Peake was called to the charge of this church.

and remained rector until December 1, 1870. On July 27, 1867, the whole debt of the church having been removed, or assumed by individuals in the vestry and congregation, the building was consecrated to the worship of God by Bishop Kip. In January, 1871, the Rev. Geo. Wm. Foote was called to the rectorship of the church, and at this present writing (October, 1880), he still remains rector. In 1872 the present rectory was built. In 1876, the church was enlarged to nearly double its former capacity, and much improved. During the past year four stained windows have been presented to the church, and the Sunday-school was presented a chime of five bells. The congregation of Trinity church now numbers about five hundred persons, of whom about two-hundred and fifty are communicants. There are about one hundred and fifty pupils in the Sunday-school.

The First United Presbyterian Church of San José.—The First United Presbyterian Church of San José, California, was organized November 6, 1874, twenty-eight members uniting at that time. Messrs. James Black, James Kirkpatrick, and J. M. Fleming were chosen Ruling Elders, and still fill that office. Rev. A. Calhoun, by appointment of the General Assembly of the United Presbyterian Church of North America, commenced missionary work in San José in the Fall of 1874, and remained missionary in charge until the Spring of 1879, when he was chosen pastor of the congregation, and regularly installed by the United Presbyterian Presbytery of San Francisco. Mr. Calhoun is a native of Ohio, born and brought up in Ashland county, near Savannah; graduated at Franklin College, New Athens, Ohio, in the Fall of 1856, and afterward studied theology in the United Presbyterian Theological Seminary in Allegheny City, Pennsylvania. He was ten years pastor of the Eleventh United Presbyterian Church of Pittsburg, and five years pastor of the Fifth United Presbyterian Church of Philadelphia, before coming to San José. Sickness in his family was the cause of his coming to California. The congregation which he organized in San José worshiped for about four years in a little hall over the San José Savings Bank. In the Fall of 1878 the congregation erected a church on the corner of Fifth and Santa Clara streets, the lot and church costing them over twelve thousand dollars. The location is good and the church a model of neatness and comfort. W. C. Hamilton, of San José, was the architect and builder. Over one hundred have united with this congregation since its organization, thirty-five of whom were on profession of their faith in Christ. The present resident membership is sixty-five. The Sabbath-school numbers over one hundred and fifty, and is doing good work.

The First Congregational Church of San José.—Services were first held in connection with this church, April 11, 1875, and a Sunday-school organized on the 18th of the same month. On May 3d an Ecclesiastical Society was

formed, while on June 2, 1875, the church was organized with the following original members: Mrs. Eliza Brownwell, Warren C. Hart, Mrs. Mary C. Hart, John H. Henn, Mrs. P. Bernice Henn, Mrs. William J. Landers, Mrs. Harriet Kelly, Elizabeth Kelly, Cora Kelly, Thomas Slaughter, Mrs. C. C. Slaughter, Ebenezer Snell, Mrs. Rachel Snell, Clara B. Snell, Arthur B. Snell, Mrs. Frances Snow, Mrs. E. S. Stilson, Hiram M. Heflin, Mrs. Lorinda M. Heflin, Cora L. Heflin, William J. Hinds, Mrs. Mary L. Hinds, Maria Palen, Maria J. Palen, Treadwell Soper, Mrs. Nancy H. Soper, Mrs. M. L. Stanford, Robert E. Wilbur, Mrs. Emma Wilbur, Mrs. M. Woolaver, S. E. Ladd, Jesse S. French, Roger W. Ball, Mrs. James A. Ellis, Theodorus B. Hascall, Mrs. Amy E. Hascall, Mrs. Caroline Ball, Clementina Wirth, Edward Snell. The first officers were: Acting Pastor, Rev. Theodore T. Munger; Deacons, E. Snell, H. B. Norton; Clerk, Charles H. Bryant; Treasurer, T. B. Hascall; Superintendent of Sunday-school, Robert E. Wilbur; Librarian, Edward Snell; Examining Committee, Rev. Theodore T. Munger, E. Snell, H. B. Norton, Charles H. Bryant, Treadwell Soper, and S. E. Ladd. To co-operate with the church, a society called the First Congregational Society of San José was incorporated as above (May 3, 1875), formed of those persons who are habitual attendants upon the services of the church, and who contribute to its support, which is still in existence, whose first officers were: R. W. Ball, Clerk; T. B. Hascall, Treasurer; Edward Snell, Auditor; and E. Snell, S. E. Ladd, Treadwell Soper, W. C. Hart, H. M. Heflin, Trustees. The membership is now one hundred and five; the pastor is the Rev. M. Willett, and the church is situated on the south side of San Antonio, between Second and Third streets.

German Methodist Episcopal Church.—This church was founded in the year 1861, by Rev. A. Kellner, but the first regular pastor was Rev. G. H. Bollinger, whose wife composed the original membership of the church, and he not forming a society, the doing so would appear to have gone with him and his spouse at the expiration of his term of office. After the lapse of several years the Rev. Hermann Brueck arrived in 1868, and preached to the German residents in the old City Hall, when a small society was formed and a Sunday-school organized. This fellowship was composed of the following original members: F. Kuchenbeiser and wife, William Fruehling and wife, Adolf Kocher, August Grube and wife, Frederick Theaerkauf and wife, and Rosaline Reinhardt, the first office-bearers being, Messrs. Kocher, Fruehling and Theaerkauf, Trustees; F. Kuchenbeiser, Superintendent of Sunday-school. Mr. Brueck's term of service lasted three years, when he was succeeded by Rev. C. H. Afflerbach. During the first year of this gentleman's administration the present valuable church property on Third street, between Santa Clara and San Fernando, was acquired, a bold undertaking when the paucity of members is taken into account, but indomitable courage and

unprecedented liberality on the part of the pastor and members, carried the enterprise to a successful termination. At the close of Mr. Afflerbach's four-year term the society numbered about fifty on the roll, while there remained only a few hundred dollars indebtedness on the church property. The next minister was the Rev. G. H. Bollinger, who served a term of three years, and was succeeded by Rev. F. Bonn, the residentiary pastor. The present membership of the church is eighty; the Sabbath-school, of which R. Kocher is Superintendent, numbers one hundred and fifty children, and twenty-two officers and teachers, while there is a gratification in being able to state that the church and parsonage are free from incumbrance. Improvements which add to the attractiveness of the audience room have been made at considerable expense, and no aid has been asked from the missionary society since 1877. The officers for the current term are: Messrs. Kocher, Kuchenbeiser, Tantau, Theaerkauf, and Fuerhling, Trustees, the first-named gentleman being Superintendent of the Sunday-school. The church is steadily growing and is now in a most prosperous condition.

The Society of Friends.—The first religious meeting of the Society of Friends, otherwise known as Quakers, was held in the sixth month (June), 1866, in the building at the corner of Ninth and St. John streets, it being formed by Jesse and David Hobson who were the original promoters of the organization in San José, and with some others donated the land on which to construct the meeting-house. In the year 1873, these meetings were regularly organized under the authority and discipline of the Iowa Yearly Meeting of the Society of Friends, the first Clerks being Jesse and Susan Hobson, who were appointed February 13th of that year. James Canney, now a resident of this vicinity, was next chosen on March 13th, and served until August 8, 1878. Elvira J. Ward being joint clerk with him, an office she still holds. On Mr. Canney's resignation John Bell was appointed and still holds the office. The first Elder was Stephen Hobson; the present ones are James Canney, Elvira J. Ward and Margaret J. Gregory. The Overseers at present in office are John Bell, Jesse Bowersock, Amanda M. Taylor, and E. E. Morris, Mr. Bell being also Clerk of Monthly Meetings and Keeper of Records. Jane M. F. Canney and Adonijah Gregory have been and are the only regularly organized ministers. The society numbers sixty-five members; religious meetings are held on the first and fifth days (Sunday and Thursday) of each week at eleven o'clock in the forenoon, and first-day (Sabbath) school at 10 A. M., while the monthly meetings for the transaction of business and discipline of the church, convene on the second fifth day (Thursday) of each month.

College of Notre Dame.—Notre Dame, San José, justly holds its place among the flourishing educational establishments of our country, as histori-

cally: "First in her ranks of pioneers of mind," the existence of the institution being almost coeval with that of the State itself, with the rapid growth of which the college has kept steady pace during the past thirty years, and stands to-day a noble and enduring monument to the memory of its zealous foundresses, and a convincing proof of what may be achieved by the God-aided energy, indefatigable industry and patient perseverance of woman, when, magnanimously devoting herself, heart, soul, and mind to a worthy cause, she sinks self and self-ease forever, into the abyss of heroic, yet unostentatious love of God and active Christian benevolence towards her fellow-creatures.

The Sisters of Notre Dame are members of a society of ladies devoted to the education of youth, both in Europe and America. Namur, Belgium, is the centre of the organization, which, though not a century old, has already beheld the rise and progress, completion and successful working of upwards of a hundred flourishing academies, or colleges, and can count its teachers by thousands and its children by tens of thousands.

In England, such is the high estimate placed on their efficiency as educators, that, for years, the government has intrusted to them the entire control of the important Normal and Training Schools of Liverpool; and the successful results, as brilliant as solid, have been convincing evidences that such confidence has not been misplaced.

The scheme of the society was the offspring of the troublous period of the French Revolution, and the two foundresses, one springing from the ranks of the people, and one from the nobility, by a happy coalition of faculties and advantages, means and aims, met on a golden level of Christian principles, and created a noble democracy of feeling that acknowledges merit and virtue as the only true and solid basis of rank and distinction. It is universally conceded that the spirit of the Institute, with its motto, "Onward and Upward," is admirably adapted to the needs of the age in which we live. The form of government is eminently that of a republic, the members enjoying equal rights, and the officers elected by a majority of votes, for varying periods of time.

Order and method, industry and energy not only economize every golden grain of "time the stuff of which life is made," but are and ever have been marked characteristics of the members of this Order; and their example has not been without its lasting and beneficial effects upon those who have come within the sphere of these stirring and elevating influences. The wise, firm, prudent measures of the President of the society at Namur, her *Cœur de Mère*, and *Bras de fer* as the French express it, her perfect blending of sweetness and firmness, are so many attractive forces binding all the houses under her control, into one harmonious system around a central sun. It seems almost incredible that so many women of almost every nationality

under the sun, and of such varying characters and temperaments, could so cheerfully and peacefully pursue the even tenor of their way, whether ruling or ruled, but the fact that they do so is incontrovertible, and yet the world persists in saying that the days of miracles are past.

But we must return to our original intention, which was to give a brief outline of the circumstances which paved the way to the foundation of the first academy ever reared within our county limits, and, to do so understandingly, we must carry our readers back as far as 1843, and thus we shall better see and appreciate the motives that led those ladies to our Pacific shores.

The zealous Father de Smet after years of arduous missionary labors among the Indian tribes, west of the Rocky mountains, revisited Europe in 1843, and pictured so vividly the needs of that vast section of country, the utter deprivation of the advantages of civilization, the pitiable condition of the savages and their deplorable ignorance of the commonest arts of life, "fields white to the harvest, and the laborers so few," not concealing, however, the hardships attendant upon any undertaking tending to the amelioration of their condition, the privation of all convenience and comfort that must necessarily be undergone.

The Sisters of Notre Dame, fully aware of all the difficulties of the enterprise, came forward, and declared themselves ready to devote their life and energies to the instruction of the savage children of the "far west." The "far west" of forty years ago was synonymous with the "ends of the earth," and to the Sisters meant total isolation, not only from civilized life, but from all that they held most sacred on earth. But they were not deterred by any personal considerations, hard as it was to sunder those tender ties that knit the heart of man and woman to country, parents, and all they most tenderly revere.

A trip from Europe to the Pacific coast at that time was not the easy thing that it is in our days of steam-pinioned vessels, and swift-footed locomotives. The graphic account of the Sisters seven months' weary, perilous voyage, published in France a few years later, is eloquent in praise of their Christian fortitude and endurance.

What hardships and privations they nobly sustained! what dreary calms and fearful tempests through which they passed with calm unshaken trust in an overruling Providence! what hair-breadth escapes, what hanging between life and death off the wild desolate coasts of Patagonia, and again at the mouth of the Columbia, where it seemed as if they had reached their destination only to be hurled into Eternity. But Heaven willed it otherwise. Another destiny was in store for them. They passed unscathed the trying ordeal of the countless dangers of the deep, reached Willamette August, 1844, and the seven years of their Oregon life furnish glorious records of self sacrifice, and devotedness, to which the pen of an Angel alone can do fitting justice.

The first heroic band of Sisters numbered six ; among these, Sister Loyola and Sister Mary whose names will frequently recur in the following pages, Sister Mary Cornelia for the past twenty-nine years the efficient and revered Superior of the College, and the late Sister Mary Aloysia a lofty, beautiful character whose faultless example and pure moral teachings, at the head of the Boarding Department have left behind them ineffaceable impressions, and moulded to edifying virtues the future of many a wayward girl.

In August, 1847, after a protracted voyage of eight months, seven other Sisters arrived from Europe to re-inforce the Oregon toilers, who were thus enabled to extend the sphere of their usefulness.

In 1851, four Sisters from Cincinnati were sent to share their ever-increasing labors. These latter were to come by way of the Isthmus of Panama, and Sister Loyola and Sister Mary, already mentioned as members of the first pioneer party to Oregon, took passage on the *Goliath* for San Francisco, to meet and convey the expected arrivals to their new field of duty. Sister Loyola and Sister Mary arrived in San Francisco March 29th, and found they would have to wait fully two months before they could return, as the expected Sisters would not reach California until about the close of June. But this seeming disappointment was only "a blessing in disguise." As both Sisters shrank from inaction, and, like all great minds, could not brook even a day's indolent repose, they gladly availed themselves of Mr. Martin Murphy's courteous invitation to visit his home and family at Bay View, and accompanied him thither April 2d, when they shared his whole-hearted hospitality and his estimable lady's cordial kindness, and never fail to extol both as sincere and constant friends and generous benefactors. Thanks to Mr. Murphy's obliging courtesy, they visited Santa Clara and San José, and, at the former place, saw the zealous Father Nobili laying the humble foundation of that grand superstructure of learning that has risen and expanded to giant-like proportions in the past three decades of years.

The Sisters were charmed with the appearance of the country in and around San José, and met, at every step, kind friends, cordial greetings, earnest solicitations and pressing invitations to make this lovely valley the scene of their future labors.

The great lack of educational advantages for their children was keenly felt by all earnest pioneers, and their need made them eloquent in their irresistible appeal. Several prominent citizens came forward, at once, and generously offered land on which to locate the new Convent; among these, Mr. White, afterwards one of the hapless victims of the steamer *Jenny Lind*, distinguished himself; and Mr. Suñol, who handsomely offered an extensive tract adjoining the present race-track and extending as far as the bridge spanning the Los Gatos.

The liberality of both these gentlemen was fully appreciated, but there was

one drawback; the San José of 1851 was not the San José of to-day, and to erect a school edifice on either lot placed at their disposal would be to select a site at an inconvenient distance from the pupils' homes.

A more favorable situation must then be selected. In our day it is hard to realize that in the then capital of our beautiful State, our Garden City, only twenty-six residences could be counted within the actual city limits. These limits were defined on the west by the *acequia*, an artificial channel quite creek-like in proportions, and used for irrigation purposes, but long since a thing of the past, shorn of its glory first by the artesian wells, and then eclipsed by the City Water-works. The *acequia* had its day, did its useful work, and passed away from the memories of man; but over its forgotten grave rises part of the present college buildings; and a wealth of trellised vines and richly-foliaged trees keep a grateful memory of their benefactor in every twining tendril and quivering play of wind-tossed glistening leaves.

So much for the now dead *acequia*, which is yet a living historical fact, and in 1851, it, as already stated, marked the city limits. Beyond it there was only one house, the adobe of the Pintos, and an unpretentious shanty, perched on the banks of the Guadalupe, "all alone in its glory."

After careful consideration, Sister Mary chose the present site as one most appropriate and convenient, and, at the same time, secluded, lying, as it did, outside the city limits, and some distance from the most frequently traveled thoroughfares, as it was not until later that Santa Clara street assumed its present rank and position.

The Sisters' original purchase was a lot of thirty-seven by fifty Spanish varas, the only improvements being three new adobe walls supporting a mansard roof. The former owner was a complete exemplification of the scriptural man "who began to build and was not able to finish." He fell an untimely victim to that fatal thing—a mortgage. The property was in Mr. Crosby's hands; the transfer was readily effected, and the amount demanded paid in quarterly installments.

The grounds did not present the most enticing appearance. The mustard, introduced, as is gravely affirmed, by the missionaries to supply a necessary condiment, had completely escaped from all control, and reveled in the luxuriance of its freedom. It, Constantine-like, flung out its golden labarum to the breeze, and, like another Cæsar, "came, saw and conquered." No field in the vicinity of the old Missions could shelter itself from the audacious invader, and the Sisters' lot was no exception. So serried were the ranks of the towering, formidable mustard, so rapid the growth of broad-palmed, aspiring mallows, and unfailing alfileria (*erodium*) that it is not to be wondered at that meek-eyed cows and contented horses, as the legend runs, could, in these labyrinths, elude for days the patient (?) search of their masters.

This state of affairs soon underwent a complete transformation. Under Sister Loyola's and Sister Mary's care, the "wilderness soon blossomed like the rose." "Wonderful women, those Sisters!" we have often heard old pioneers exclaim; and when we contemplate the fruits of their spirit of enterprise and energy we cannot refrain from re-echoing the sentiment, Sister Loyola of Louvain and Sister Mary of Nismes, are women whose equals we rarely meet in any walk of life; grand characters, with all a woman's gentle, literary accomplishments, a scholar's thorough training, and, withal, a marvelous adaptation to all the intricacies of masculine occupations.

With two such stirring characters, it is not strange that the work was begun, and pressed forward to completion, in a comparatively brief space of time. Mr. Goodrich, the now distinguished architect, was chosen for the work; and on August 4th, of the same year, a day and a boarding school department were opened. The expected Sisters from Cincinnati having arrived July 1st, were detained in California, and in a few months, despite the inconveniences of tedious stage travel, pupils had thronged from the remotest counties of the State, to enter with hearty zest, upon a course of study and discipline, that, blending the useful and the beautiful in one harmonious whole, purified and elevated the moral character of all who submitted with docility to their ennobling influence. Habits of economy, order, and industry, those indispensables of happiness, were imbibed almost imperceptibly, and many a wife and mother has cause to look back, with sentiments of grateful recollection, to her profitably spent hours in Notre Dame.

Though constant changes and improvements were the order of the day, it was not until 1854, that the foundations of the present college were laid. Mr. Kerwin was the architect, but having buildings under his direction in course of construction, in Marysville, and elsewhere, as well as in San José, and the trip to these places requiring days, in those pioneer periods of travel, the consequence was that the chapel wing of the building, in brick, would have been a total failure, had not Sister Loyola come to the rescue, and as architect and overseer, calculated all necessary details; and directed the various departments of the work.

The chapel is a gem of chaste, artistic beauty, and must be seen in order to be appreciated.

In 1855, the college was incorporated by the State Legislature, and subsequently, the same body so extended the original charter as to confer all the rights and privileges of collegiate institutions in the United States.

In 1862-3, the main building, and the eastern wing were completed. The latter runs back to the depth of two hundred and fifty feet; the west wing is one hundred and three feet deep; the whole affording accommodation for a large number of pupils.

In 1866, Mr. Goodrich erected the select school. In 1869, Mr. Lenzen

continued the building; and, in 1876, Mr. McKeadney made the last addition, and erected the day school, where yearly an average of about five hundred pupils receive the unwearied care of the Sisters, who disinterestedly sacrifice their time and lives, gratis, that the "minds of the children may be fed."

Thus we have sketched rapidly the rise and progress of the oldest college of our county. Space will not allow us to descend into particulars, and the reader may, if he desire, verify the accuracy of our details, and visit the institution, with its encircling gardens, interesting museum of conchological, mineralogical, and numismatical, specimens, and philosophical apparatus, teeming with instructive suggestions, and inviting to study and research.

The grounds have been barely mentioned, but the ten acres they cover form a veritable *Rus in Urbe*, and the sylvan shades of poplars, elms, cypress, ash, and graceful pepper, making "a vernal twilight of the noon," the grape-laden trellises, the grassy lawns, and walks wooing to contemplation, all form desirable educational appendages, since we are "creatures of our surroundings," and are impressed for good or evil, by those external objects, that through the senses, photograph themselves forever upon heart and mind.

Hence it is no trifling advantage for pupils to have such lovely scenes as the shrouning of their daily lives, and to be thus early trained to a love of the beautiful in art, and nature; for a well-known English poet exclaims: "As long as I preserve unimpaired my love of nature I can, in some measure, control all my own passions, and bear patiently with those of others," a saying that furnishes the two key-notes to personal and social happiness, self-mastery, and mutual sufferance, the basis of all real courtesy, without which man or woman is a failure, and education incomplete.

California State Normal School.—Early in the history of the State, a few gentlemen of San Francisco who had the educational interests of California at heart, among them being State Superintendent Andrew J. Moulder, John Swett and City Superintendent Henry B. James, mooted the idea of a State Normal School. By the earnest efforts of these gentlemen, a City Normal School was established in San Francisco in 1857, with George W. Minns as Principal, and John Swett, Ellis H. Holmes and Thomas S. Myrick assistants. This school was continued until 1862. In the years 1859 and 1860 Mr. Moulder urged the establishment of a State Normal School, but no action was then taken in the matter. Subsequently, however, a committee was appointed to examine into the feasibility of the scheme, which they favored in an elaborate report dated January 2, 1862. It was embodied by the State Superintendent in a communication to the Legislature of 1862, and May 2d of that year an Act providing for the establishment of such an institution was passed. Three thousand dollars was appropriated by the

Legislature for carrying out the design, and Ahira Holmes appointed *Principal* by a Board of Trustees, consisting of Superintendent Moulder, *George Tait*, Superintendent of San Francisco, and Dr. Taylor, Superintendent of Sacramento. The school was opened in one of the vacant rooms of the San Francisco High School, July 21, 1862, with thirty-one pupils, but was soon removed to rented rooms on Post street, the teachers being Henry P. Carlton, Vice-Principal, with Helen M. Clark, and Kate Sullivan in the Training Department. In 1864 it was transferred to the rear of the Lincoln Grammar School.

In the month of April, 1870, a bill was passed by the Legislature directing the levy of a tax to provide a State Normal School Building Fund. About the same time the city of San José donated to the State for the use of the Normal School the inclosure bounded on the north by San Fernando, on the east by Seventh, on the south by San Carlos, on the west by Fourth streets, and known as Washington square, containing twenty-eight acres in all. Here in 1870 was commenced the handsome edifice which was destroyed by fire on the morning of February 11, 1880, together with nearly all of the costly and excellent apparatus, all of the reference library, and most of the maps, charts, and other appliances. The cabinet and museum, and the extensive herbarium, the result of years of patient labor in collecting and arranging were wholly lost, as well as the valuable scientific works which had been gathered together, as adjuncts to these collections.

Notwithstanding the fearful disaster, the school was continued with only one day's interruption; thanks to the Board of Education of the city of San José who generously tendered to the Trustees of the Normal School, the use of the High School building.

The burned building was first occupied for its proper uses July 7, 1872.

No time was lost in replacing the former handsome structure. April 12, 1880, a bill making appropriation for such was passed by the Legislature, and in May, 1880, the new building was commenced, and was ready for occupancy within a year. It is a splendid brick structure, in every way adapted to its purpose, and surmounted by a tall tower where hangs a sweet-toned bell weighing three thousand pounds. The Trustees for the year 1880-81, are: Governor George C. Perkins, State Superintendent Fred. M. Campbell, Hon. C. T. Ryland, Hon. James Denman, Ben Cory, M. D., T. Ellard Beans, and A. S. Evans. The Board of Instruction consists of: Charles H. Allen, Principal; J. H. Braly, Vice-Principal; Helen S. Wright, Preceptress; Henry B. Norton, Ira More, C. W. Childs, Lucy M. Washburn, Mary E. B. Norton, Assistants; Addie Murray, Temporary Assistant; Ruth Royce, Substitute Teacher; J. H. Elwood, Teacher of Music; Phebe P. Grigsby, Principal of Preparatory Department; Mary J. Titus, Principal of Training School; Mary E. Wilson, Maggie Scott, Assistants; Mrs. A. E. Bush, Curator of

Museum. Cornelia Walker, Frances L. Webster, and Eliza B. Barnes, were Assistants for part of the year.

The number of pupils in 1862, admitted to the Normal School, we have shown above, was thirty-one; for the year 1880-81, the total number is five hundred and ninety, who have come from forty-five different counties, leaving seven in the State unrepresented. The number of graduates in the first class, May, 1863, was four, all of them females; in the twenty-second class, 1881, the total is thirty-four, thirty-two being females, and only two males.

San José Lodge, No. 10, F. & A. M.—This lodge was opened under Dispensation, July 11, 1850, and received its Charter from the Grand Lodge of California, November 27th, of the same year, the following being the members to whom it was granted: W. B. Alvord, H. C. Melone, J. Townsend, E. D. Hammond, C. T. Ryland, W. Van Voorhies, H. F. Williams, L. Prevost, W. T. Burton, A. C. Campbell, Benjamin Cory, J. D. Curl, B. C. Donnellan, W. H. Eddy, J. D. Hoppe, J. S. Houstoun, P. O. Minor, F. S. McKinney, H. M. S. Powell, J. Reddick, J. Van Carrigan, W. Willson. The original officers were: W. B. Alvord, W. M.; H. C. Melone, S. W.; J. Townsend, J. W.; E. D. Hammond, Treasurer; C. T. Ryland, Secretary; W. Van Voorhies, S. D.; H. F. Williams, J. D.; L. Prevost, Tyler. The roll of members now numbers one hundred and fifty-four, who meet on the first Monday in each month at the Masonic Hall on First street. The officers for the current term are: W. J. Wilcox, W. M.; Wilson Hays, S. W.; E. Topham, J. W.; E. H. Guppy, Treasurer; W. B. Shoemaker, Secretary; George Sim, Chaplain; A. B. Hamilton, S. D.; A. S. Knox, J. D.; W. T. Ellis, Marshal; O. F. Mann, Frederick Powell, Stewards; F. S. Coffin, Tyler.

Garden City Lodge, No. 142, I. O. O. F.—The Charter was granted March 20, 1868, to the following members: R. S. Carter, John P. Backesto, Frank T. Risdon, Albert P. Hulse, John H. Gordon, George W. Kneedler, C. C. Cook, H. E. Hills, Robert Scott, C. W. Pomeroy, D. J. Porter, C. G. Button. The first officers elected were: C. C. Cook, N. G.; Robert Scott, V. G.; A. P. Hulse, Rec. Sec.; H. E. Hills, Per. Sec.; C. W. Pomeroy, Treas.; R. S. Carter, W.; J. P. Backesto, C.; J. H. Gordon, O. G.; A. R. Manly, I. G.; F. T. Risdon, R. S. N. G.; George W. Kneedler, L. S. N. G.; C. J. Button, L. S. V. G.; W. D. Barker, R. S. S.; D. C. Vestal, L. S. S. The present membership numbers two hundred and twelve, while the officers for the current term are; C. J. Owen, J. P. G.; Homer Prindle, N. G.; B. G. Allen, V. G.; M. J. Ashnore, Recording Secretary; C. W. Cate, Per. Secretary; C. H. Simonds, Treasurer; H. A. Crawford, W.; W. L. Coombs, C.; Joseph Jacklin, O. G.; F. E. Martin, I. G.; D. J. Porter, R. S. N. G.; C. W. Breyfogle, L. S. N. G.; E. S. Breyfogle, R. S. V. G.; Marshall Pomeroy, L. S. V. G.; Henry J. Harlem, R. S. S.; W. A. Carpenter, L. S. S. The lodge which is in a flourishing

condition, meets every Friday evening at Odd Fellows' Hall, 341 First street, at 7.30 P. M. during the Winter, and 8 P. M. during the Summer months.

Stella Rebekah Degree Lodge, No. 22, I. O. O. F.—This Lodge was instituted January 12, 1875, with the undermentioned Charter Members: G. H. Blakeslee, Mrs. G. H. Blakeslee, J. J. Connor, Mary J. Connor, Mrs. D. Ackerman, S. A. Barker, Mrs. S. A. Barker, Mrs. D. J. Porter, F. Buneman, Mrs. F. Buneman, D. Boernert, Mrs. D. Boernert, H. A. Crawford, Mrs. H. A. Crawford, T. J. Cook, Mrs. T. J. Cook, W. L. Coombs, Mrs. W. L. Coombs, J. W. Coombs, Mrs. J. W. Coombs, H. H. Curtis, Mrs. H. H. Curtis, Wm. J. Colahan, Mrs. C. Smith, C. Crudts, Mrs. C. Crudts, Milton Campbell, Mrs. M. Campbell, J. F. Chambers, Mrs. J. F. Chambers, G. W. Ethell, Mrs. G. W. Ethell, T. Gebler, Mrs. T. Gebler, A. Gabriel, Mrs. A. Gabriel, Sam. P. Howes, Mrs. Sam. P. Howes, C. A. Hunt, Mrs. C. A. Hunt, C. A. Hough, Mrs. C. A. Hough, S. H. Herring, Mrs. S. H. Herring, J. W. Haskell, Mrs. J. W. Haskell, Jos. Hodgetts, W. A. Jackson, Mrs. W. A. Jackson, S. B. Jacobs, G. C. Manner, Mrs. R. Kenyon, Henry Lux, R. W. Kibbey, J. Knipper, Mrs. J. Knipper, Jos. A. Lotz, Albert Lake, W. M. Lovell, W. A. Lewis, Mrs. W. A. Lewis, J. McCole, Mrs. J. McCole, Wm. McLeod, Mrs. Wm. McLeod, J. H. Miller, Ben. Miller, Mrs. Ben. Miller, H. Moser, Mrs. H. Moser, J. J. Menefee, Mrs. J. J. Menefee, H. Mitchell, Mrs. H. Mitchell, G. Nelson, W. L. Northern, Mrs. W. L. Northern, S. Newson, Mrs. L. C. Newson, Jos. O'Connor, Henry Phelps, C. W. Pomeroy, Mrs. C. W. Pomeroy, A. C. Perkins, Mrs. A. C. Perkins, Jules Pelle, D. J. Porter, Charles Patocchi, W. A. Parkhurst, Mrs. W. A. Parkhurst, Mrs. A. K. Philbrook, H. Piessnecker, Mrs. H. Piessnecker, Louis Ranschenbach, Mrs. D. Ranschenbach, Charles E. Schroder, Charles S. W. Sikes, Mrs. Louisa Sikes, D. L. Shead, Mrs. D. L. Shead, Chas. Shephard, Mrs. C. Shephard, M. Schlessinger, Mrs. M. Schlessinger, J. N. Spencer, Mrs. J. N. Spencer, H. J. Stone, Mrs. H. J. Stone, T. C. Winchell, W. C. Wilson, Thomas Williams, Mrs. T. Williams, H. T. Welch, Mrs. H. T. Welch, W. M. Williamson, Leopold Weltch, Wm. L. Woodson, Hugh Young, Mrs. H. Young, G. W. Zimmer, Mrs. G. W. Zimmer, A. C. Tedford, L. J. Tedford, Mrs. S. E. Morton, Mrs. Ellen Lux, Mrs. M. L. Lovell, Mrs. Emma Manner, Mrs. Addie Wilcox, Mrs. Esther Eslich, Mrs. E. Pearce, Mrs. E. M. Rhodes, Mrs. Mary Sterens, Mrs. Fanny O'Connor, J. B. Church, Mrs. J. B. Church, D. H. Kelsey, Mrs. D. H. Kelsey, H. J. Jamian, Mrs. H. J. Jamian. The first officers elected were: P. G., C. W. Pomeroy, N. G.; Mrs. J. J. Crawford, V. G.; Mrs. Mary Jackson, Recording Secretary; Mrs. Louisa Sikes, Financial Secretary; Mrs. C. A. Hunt, Treasurer; Theo. Gebler, I. G.; T. J. Cook, W.; W. L. Woodrow, C.; G. W. Ethell, O. G.; Mary A. Williams, R. S. N. G.; Mrs. D. Ranschenbach, L. S. N. G.; Theo. C. Winchell, R. S. V. G.; Gustave Nelson, L. S. V. G. The Lodge meets on the second and fourth Tuesdays in each month, at Odd Fellows' Hall, San José. The present membership is one hun-



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ired and twenty-six; and the officers for the current term are: Mary A. Williams, N. G.; Flora Kelsey, V. G.; Louisa Boardman, Recording Secretary; Louisa Sikes, Financial Secretary; Laura B. Howes, Treasurer; Dora Kelsey, W.; Millie Sikes, C.; Jos. Jacquelin, I. G.; C. T. Settle, R. S. N. G.; Nettie Grubbs, L. S. N. G.; J. B. Church, R. S. V. G.; Helen Campbell, L. S. V. G.

Granger Lodge No. 295, I. O. G. T.—The Charter for this lodge was granted to the following members March 2, 1874: S. B. Caldwell, Mrs. Maria Culp, Mrs. R. A. McMahan, James Eddy, Kate Cozzens, W. S. Boyles, Jennie M. Young, Robert Campbell, W. W. Cozzens, R. D. Guard, Mrs. H. A. Malone, Mrs. M. Cozzens, Levi Millard, S. H. Herring, Sarah Damon, S. B. Jacobs, G. A. Ingram, W. Mitchell, Jennie Wallace, Henry Mitchell, Mrs. A. Ransom, Visa E. Millet, Wm. Shelbourne, Mrs. L. J. Bacon, N. Green, the original officers being: S. B. Caldwell, W. C. T.; Jennie M. Young, W. V. T.; Mrs. M. Cozzens, W. Chap.; W. W. Cozzens, W. Sec.; Mrs. H. A. Malone, W. A. S.; Mrs. Maria Culp, W. F. S.; James Eddy, W. Treas.; W. S. Boyles, W. M.; Robert Campbell, W. I. G.; R. D. Guard, W. O. G.; Kate Cozzens, W. R. H. S.; Mrs. McMahan, W. L. H. S.; Henry Mitchell, P. W. C. T. The lodge meets every Saturday evening at Druid's Hall, First street, San José; has a present membership of eighty-three; and the under-mentioned officers for the current term: W. G. Wyman, W. C. T.; Mrs. Woodard, W. V. T.; Miss Hattie Chase, W. R. S.; H. G. Keesling, W. F. S.; Mrs. Whipple, W. T.; C. H. Bacon, W. M.; Mrs. Overshiner, W. I. G.; Mrs. Annie Keesling, W. O. G.; Mrs. L. J. Bacon, W. C.; R. C. Swan, P. W. C. T.; H. C. Keesling, Lodge Deputy.

Allemania Lodge, No. 178, I. O. O. F.—The establishment of this lodge dates from September 2, 1870, the following being the Charter Members: Charles E. Raabe, Theodore Gebler, C. Claassen, J. Knipper, H. Albert, F. Biebrach, Jacob Haub, Louis Ranschenbach. The original officers were: C. E. Raabe, N. G.; T. Gebler, V. G.; C. Claassen, Treasurer; J. Knipper, Secretary. The lodge meets at Odd Fellows' Hall on Monday of each week, and has a present membership of seventy-six. The officers for the current term are: A. J. Koch, N. G.; Philip Doerr, V. G.; C. Curdts, Secretary; L. W. Otto, Permanent Secretary; William Althaus, Treasurer; J. J. Sontheimer, R. S. N. G.; William Kuersten, L. S. N. G.; Edward Peters, R. S. V. G.; Charles Metzler, L. S. V. G.; V. Koch, Conductor; C. M. Klotz, Warden; J. Stein-gruber, I. G.; J. Jacquelin, O. G.; Trustees, George C. Fricke, J. J. Sontheimer, C. E. Raabe.

Mount Hamilton Lodge, No. 43, A. O. U. W.—The Ancient Order of United Workmen organized their lodge August 1, 1878, the following being the Charter Members: Homer J. Alderman, William D. Allison, Karl D. Anderson, Morris Appleton, Clarence M. Ayres, John H. Baird, Emory

Barris, George P. Bassett, George W. Bennett, Henry W. Betts, Max. Blumenthal, Charles L. Breyer, Thomas A. Brookbanks, Frederick J. Buneman, M. D. Burgess, Louis Callisch, Milton Campbell, George Carson, Curtis F. Chadwick, Walter Chadwick, Thomas F. Childs, J. B. Church, Charles E. Clayton, Charles A. Clemence, Henry Clifton, Richard E. Collins, Thomas H. Cordell, Andrew J. Cory, John B. Cory, J. B. Cox, Hugh A. de Leay, Charles Denny, James B. Finch, Samuel Flack, Jephtha Fuson, William T. Garner, Andrew A. Gaston, Charles H. Gorr, William F. Gussefeld, Frank M. Haight, Oliver A. Hale, Alonzo B. Hamilton, John F. Hardisty, A. W. Harvey, Daniel N. Haskell, William O. Hatch, C. W. F. Heumann, Jacob Hobson, H. A. Houghton, Lauren E. Humphreys, Wm. Jackson, Daniel R. Jayne, Charles W. Kerr, Henry Laurilliard, Arch. K. Litton, Harrmann Levy, M. S. Levy, E. B. Lewis, James B. Lewis, Augustus F. Lincoln, George J. Mallmann, Byron G. Mantle, A. McMahon, William McMeekin, Albert B. McNeil, Morgan Miles, Samuel E. Moreland, Frank Molke, Ira T. Newsom, William Osterman, Walter A. Parkhurst, Z. M. Parvin, James M. Pitman, John S. Potts, Henry E. Reynolds, Lewis Schoen, Robert Scott, James N. Shaw, Daniel L. Shead, Alvis B. Singleton, Benjamin Solomon, Joseph M. Stillwell, William P. Veuve, William Vinter, Frank M. Ward, Thomas M. White, James W. Wilkinson, John R. Wilson, Joseph Wolf, Chapman S. Yates. The original officers were: J. B. Church, P. M. W.; Thomas H. Cordell, M. W.; A. B. Hamilton, G. F.; W. P. Veuve, O.; James M. Pitman, Rec.; O. A. Hale, F. Resigned: J. B. Finch, F. Elect: Max. Blumenthal, R.; Wm. Jackson, G.; W. A. Parkhurst, I. W.; A. W. Harvey, O. W. The lodge, which now musters one hundred and thirty members, meets every Wednesday evening at Champion Hall, First street, between San Antonio and San Fernando streets, and has as officers for the current year: A. B. McNeil, P. M. W.; J. B. Finch, M. W.; George Carson, G. F.; Max. Blumenthal, O.; J. M. Pitman, Rec.; William Osterman, F.; M. J. Ashmore, R.; William A. Carpenter, G.; M. D. Hyde, I. W.; J. B. Lewis, O. W.

San José Stamm, No. 77, U. O. R. M.—This society which is a branch of the Red Men's Lodge, was organized April 2, 1865, with the following Charter Members: R. Gerdes, L. Schoen, A. Holloway, W. Roese, T. Lenzen, I. Moser, the first office-bearers being: R. Gerdes, Chief; T. Lenzen, Second Chief; L. Schoen, Secretary; H. Foertsch, Treasurer. The present membership numbers fifty; those now in office are: V. Humburg, Chief; Z. Hirth, Vice-Chief; F. Raux, Secretary; C. Doerr, Treasurer; and the lodge meets in Messing's Building, First street, between San Fernando and El Dorado streets, on Thursday evening in each week.

Phil Sheridan Post, No. 7, Grand Army of the Republic, Department of California.—This Post of the Grand Army of the Republic was organized

August 10, 1878, with the undermentioned Charter Members: W. F. Ellis, A. M. Henkel, H. T. Welch, John White, Charles Smith, John S. Gessell, D. N. Haskell, J. B. Wright, L. L. Nattinger, D. M. Rodibaugh, F. H. Angell. The original officers were: W. F. Ellis, Post Commander; L. L. Nattinger, Senior Vice-Commander; Charles Smith, Junior Vice-Commander; D. N. Haskell, Surgeon; Henry T. Welch, Chaplain; D. M. Rodibaugh, Quarter-Master; A. M. Henkel, Adjutant; F. H. Angell, Officer of the Day; John White, Officer of the Guard. The Headquarters are at Druid's Hall, where the post meets every Wednesday evening; the muster-roll now numbers seventy-four, while the officers for the current term are: A. G. Bennett, P. C.; L. L. Nattinger, S. V. C.; Daniel McGinley, J. V. C.; A. McMahon, Surg.; D. M. Rodibaugh, Chap.; L. Finigan, Q. M.; H. S. Foote, Adj.; L. W. Denan, Officer of the Day; M. Costello, Officer of the Guard.

Harmony Lodge, No. 4, Order of Sons of Hermann.—This Lodge was organized July 20, 1879, with the following Charter Members: F. Zueschke, D. Boernert, P. Warkentin, G. Gebhardt, D. Schneider, C. Goepfer, S. Volk, G. Schmidt, G. Wendt, G. Meyer, C. Strard, S. Kopp, A. Frank, C. Metzler, H. Erle, B. Lenz, J. Messing, J. Dittus, C. Deuser, G. Scherrer, B. Straub, G. Lauck, N. Niederreuther, G. de Witt, C. Louggi, C. Heckmann, L. Bauer, C. Dellwing, C. Bernhardt, D. Schoenheit, M. Magnus, J. Phillips, N. Allen, R. Ziegler, N. Husing, J. Emig, C. Bode, C. Emig, B. Hegele, J. Krattiger, H. Roehr, G. Kluever, C. Fischer, F. Jung, F. Kunz, F. Brunst, J. Hartzoke, H. Emig. The first officers were: F. Zueschke, President; E. Boernert, Vice-President; P. Warkentin, Secretary; G. Gebhardt, Treasurer; S. Volk, Conductor; G. Meyer, I. G.; E. Heckmann, O. G. The lodge meets on Wednesday in each week in Red Men's Hall, and the present membership is fifty-one. The officers for the current year are: P. Warkentin, President; D. Schneider, Vice-President; C. Fischer, Secretary; G. Gebhardt, Treasurer; George Kluever, Conductor; B. Hegele, O. G.; S. Kopp, I. G.

San José Turn-Verein.—This society was organized June 17, 1868, by Henry Seebach, Chris Yertts, Charles Doerr, Emil Reinhardt, F. Hoos, William Conradys, William Ziegler, William Althaus, Julius Kreiger. The first officers were: President, F. Hoos; Vice-President, Henry Seebach; Recording Secretary, E. Reinhardt; Corresponding Secretary, C. Doerr; Treasurer, W. Conradys; First Leader, W. Siegler; Second Leader, Julius Kreiger; Curator, W. Althaus. The society meets on the first Wednesday in each month in their hall situated on First, between San Carlos and San Fernando streets, the present officers being: C. Doerr, President; Recording Secretary, Peter Warkentin; Treasurer, Henry Roehr; First Leader, C. Bertlesmann; Curator, M. Magnus; Steward, F. Beunermann.

San José Germania Verein.—In the year 1856 was started the San José

Verein, which continued as a German Club until the year 1865, when the Germania was instituted, the two being shortly after amalgamated. The first President of the San José Verein was Louis Krumb, there being associated with him in membership Adolph Pfister, John Balbach, Louis Magenheimer, and others. On the inauguration of the Germania in 1865, Louis Krumb was elected its President and Dr. Eichler, Secretary. The present membership now numbers sixty, while the officers are: President, John Balbach; Vice-President, M. Stern; Treasurer, F. Luther; Secretary, George Fricke; Librarian, F. Theilig; Curator, Charles Otter; Musical Director, H. Schemmel; Committee of Management, William Steinbuehler, G. A. Knoche. The society is entirely a social one, its rooms on Santa Clara street, opposite the Opera House, being open to members only on Thursday of each week, where are a well-selected library and reading-room. On the last Sunday of each month a dramatic entertainment is given, whither a member is entitled to invite a certain number of guests.

Handel and Haydn Musical Society of San José.—This association was organized in the month of September, 1875, with the following Charter Members: B. F. Caswell, J. H. Elwood, George Pomeroy, W. A. Parkhurst, A. P. Murgotten, G. E. Lighthall, R. B. Crichton, Elliot Reed, Alfred Barstow, W. D. St. Clair, Charles E. Schroder, E. Rosseau, J. W. Pembroke, T. T. Bird, Mesdames A. Barstow, B. L. Hollenbeck, E. P. Reed, J. H. Elwood, Elliot Reed, L. A. Tuck, A. E. Pomeroy, H. S. Foote, A. M. Crichton, W. D. St. Clair, E. Rosseau, and Misses Della Marvin, Allie Marvin, Lillie Johnson, Nora Willey, Mary Willey, Fannie Williams, Emma Pembroke, Sallie Webb. The original officers were: Elliot Reed, President; Mrs. B. L. Hollenbeck, Vice-President; George Pomeroy, Secretary; G. E. Lighthall, Treasurer; W. D. St. Clair, Librarian; J. H. Elwood, Conductor; Miss Lucy Washburn, Pianist. The meetings of the society are held in the Bank of San José Building, at the corner of First and Santa Clara streets, where they have the largest musical library in California. The present membership numbers fifty ladies and gentlemen, many of whom display vocal and instrumental talent of a high order, the attainment of which being in a great measure due to the untiring efforts of J. H. Elwood, the Conductor. George Pomeroy, President.

Santa Clara Valley Agricultural Society.—The following interesting history of this association, from the pen of Colonel Younger, is extracted from *The Pioneer* of June 8, 1878: "This society has assumed such proportions in her real estate, and in her exhibitions in the various departments, as to challenge the admiration of the citizens of the Pacific coast. Her history of small beginnings, the energy of her pioneers to organize at once, to experiment and develop the resources of this, then a new and undeveloped country, ought to be of interest to those citizens who have located recently in the val-

ley, under more favorable circumstances. The pioneer meeting which was the germ of this society, was held August 13, 1853, under a large live-oak, in what is now known as the Live-oak Park, then belonging to L. Prevost. The meeting was composed of William Daniels, L. Prevost, L. Pillia, J. R. Bontemps, B. S. Fox, and E. W. Case. It was held for the purpose of organizing the Pioneer Horticultural Society, which they did. The subsequent meetings were held at the old City Hall. This little band was strengthened by such men as Joseph Aram, J. Q. A. Ballou, R. G. Moody, Judge D. Devine, L. A. Gould, Thomas Fallon, John Lewelling of Alameda county, and some others. During the balance of this year and the year 1854, they met once a month, brought in their fruits and flowers for exhibition, to compare and discuss the merits, and determine what fruits were best adapted to the valley. This was often most interesting and instructive. All were invited to attend, and many were enticed to those meetings to see the development of the fruit-growing capacity of the valley. Many ladies attended and were richly rewarded, for after witnessing the display of fruits and flowers, at the conclusion these were divided among them. The old pioneers knew how to be gallant to the ladies! These exhibitions soon excited the agriculturists to action. We shall soon see a union of these two interests, and follow them in their tedious stages to the formation of this society, under an Act of the Legislature in 1859.

A meeting of agriculturists was held at the City Hall in San José, May 6, 1854, pursuant to call made by F. B. Murdoch, editor of the *San José Telegraph*. "H. C. Melone was called to the Chair, and H. Hamilton appointed Secretary. William M. Stafford stated the objects of the meeting to be to organize a County Agricultural Society. On motion of F. B. Murdoch a committee was appointed consisting of F. Kennedy, Joseph Aram, and O. P. Watson, to prepare a Constitution for the society, said committee to report at an adjourned meeting to be held at the Court House on Saturday, the 20th instant, at two o'clock, P. M. On motion of John Yontz, the proceedings of this meeting were directed to be published in the *San José Telegraph*. The meeting then adjourned. H. C. Melone, Chairman; Hiram Hamilton, Secretary." The next meeting was held at the Court House, May 20, 1854. "On motion, H. C. Melone was called to the Chair, and E. P. Reed appointed Secretary. The committee who had been appointed to draft a Constitution and By-laws for the society, presented their report. On motion, the same was received, and the committee discharged. On motion of Colonel Stafford, the Constitution and By-Laws as presented by the committee, were taken up, read by sections, amended and adopted. On motion of O. P. Watson, the Chairman appointed a committee, consisting of O. P. Watson, S. Robinson, William M. Stafford, J. Miller, and Isaac Bird, to report officers for the society. The committee made the following nomi-

nations: For President, Dr. L. H. Bascom; Vice-President, J. F. Kennedy; Recording Secretary, E. P. Reed; Corresponding Secretary, W. S. Letcher; Treasurer, F. G. Appleton; For Board of Managers, J. B. Allen, of Gilroy; Frost of Fremont; James Houston of Alviso; Joseph Aram, William R. Bassham, Dr. Langhorne, and Samuel Robinson. Mr. Aram moved that the committee selected to nominate permanent officers of the society also nominate seven gentlemen as a Committee on Agriculture, and five as a Committee on Horticulture, Carried. The Committee on Nominations reported the following on Agriculture: H. C. Melone, Oliver Cottle, Isaac Bird, J. R. Weller, G. W. Peck, O. P. Watson, and H. C. Skinner. On Horticulture, Joseph Aram, J. F. Kennedy, William Daniels, Louis Prevost and John Morse, Carried. Messrs. Melone, Stafford and Watson were then appointed a committee to procure a suitable room. On motion of Judge Devine, the society was authorized to procure a suitable book, in which to transcribe the Constitution and By-Laws, names of members, and the proceedings of the society. Judge Daniels moved that the society meet again on the second Saturday in June, at two o'clock P. M. J. F. Kennedy moved that the Secretary present a copy of the proceedings of this meeting to the Editors of the *San José Telegraph*, and *California Farmer* for publication, and also to give notice of the meeting in June. Dr. L. H. Bascom, President; E. P. Reed, Recording Secretary." The next meeting was held June 11, 1854, at the Court House. Little business was transacted save the amending of the Constitution, and introduction of a resolution by Judge Daniels to appoint a committee of three to draft rules for the regular order of business. Daniels, Williams and Aram were appointed, "On motion of Captain Aram, the committee was instructed to report at next meeting. On motion of Mr. Weller, John M. Horner was elected an Honorary member of the society. Mr. Melone moved that Mr. Horner be invited to take part in the deliberations of the meeting. On motion of O. P. Watson the society adjourned to September 1st. E. P. Reed, Secretary." There was no meeting held on September 1, 1854. On December 13, 1856, a meeting was held at the City Hall, for the purpose of organizing a County Agricultural and Horticultural Society. "L. H. Bascom was called to the Chair, and H. C. Melone appointed Secretary. On motion, the Constitution and By-Laws of the former society were read. On motion, William Daniels, H. C. Melone, and Dr. J. C. Cobb, were appointed a committee to draft a Constitution and By-Laws, and report the same to a meeting to be held January 1, 1857. On motion the Secretary was requested to furnish copies of these proceedings to the newspapers of this city for publication. On motion, the meeting adjourned until January 1, 1857. H. C. Melone, Secretary." The Constitution must have been then adopted, for at the following meeting the name now in use was fixed upon. "The Santa Clara Valley Agricultural and Horticultural

Society met in the City Hall at two o'clock, p. m., February 7, 1857, Dr. L. H. Bascom in the Chair. On motion of C. Peebels, the society proceeded to elect officers for the ensuing year. The following gentlemen were unanimously elected: For President, Judge W. Daniels; Vice-Presidents, Coleman Younger, and Joseph Aram; Secretary, Dr. J. C. Cobb; Treasurer, R. G. Moody; Directors, L. A. Gould, and L. Prevost. At a meeting of the Agricultural Society, held at the City Hall, in the City of San José, on February 7, 1857, a *quorum* being present the following was adopted: *Resolved*, That the Treasurer be and is hereby instructed to pay to each member of this society the amount subscribed by said member, provided he applies for the same before the first day of March next, and whatever remains in the treasury after said first day of March be paid to the Treasurer of the Agricultural and Horticultural Society of the Valley of Santa Clara, subject to the disposition of said society last mentioned. Adjourned *sine die*. E. P. Reed, Secretary." "A meeting of the society was held July 2, 1857. Dr. J. C. Cobb resigned and H. C. Melone was elected Secretary to fill the vacancy. On motion, L. H. Bascom, Joseph Aram and Cary Peebels were appointed a committee to examine the premium list, and fill up the same. On motion, the fair was set for the 18th and 19th of September, 1857. On motion, the society adjourned to the 18th of September next, H. C. Melone, Secretary. The Board of Managers met at the City Hall, July 18, 1857. The list of premiums was agreed upon. The Board adjourned to the 1st day of August."

This society continued to hold fairs under many difficulties until incorporated under an Act of the Legislature, approved March 12, 1859, as the Santa Clara Valley Agricultural Society. The first officers elected under the Charter were: Judge William Daniels, President; Cary Peebels and Coleman Younger, Vice-Presidents; C. B. Younger, Secretary; R. G. Moody, Treasurer; L. Prevost, and H. H. Winchell, Directors. "October 10, 1857, it was at this meeting that the first move was made to purchase grounds. On motion, it was resolved that a committee of three be appointed to examine into the propriety of purchasing grounds for the Annual County Fair, and report at the next meeting. On motion, Coleman Younger, Joseph Aram, and L. Prevost, were appointed on said committee. This committee made no report, but at a meeting of the Board held November 6, 1858, Cary Peebels, H. H. Winchell, and Coleman Younger were appointed a committee to examine in reference to purchasing permanent grounds to hold our fairs. March 19, 1859.—The society met pursuant to adjournment, William Daniels in the Chair. On motion, the funds and other property of the society were ordered to be transferred to the Santa Clara Valley Agricultural Society, organized under an Act of the Legislature, entitled "An Act concerning Agricultural Societies," approved March 12, 1859. On motion, the society

adjourned *sine die*. C. B. Younger, Secretary." On March 19, 1859, the following persons met at the City Hall in San José for the purpose of organizing the society, under the Act of the Legislature mentioned above, and to adopt a Constitution: William Daniels, Cary Peebels, R. G. Moody, H. H. Winchell, Abe S. Beatty, L. C. Ward, Coleman Younger, Henry C. Melone, Caius T. Ryland, Jeremiah Miller, and Charles B. Younger. The business was duly arranged and the following officers elected for the ensuing year: William Daniels, President; Cary Peebels, and Coleman Younger, Vice-Presidents; C. B. Younger, Secretary; Ransom G. Moody, Treasurer; Louis Prevost, and H. H. Winchell, Directors. On motion, a committee consisting of Cary Peebels, Col. Younger, H. H. Winchell, H. C. Melone, T. Bodley, H. Shartzer, and J. C. Cameron was appointed to solicit donations to the society, for the purpose of purchasing and improving the fair-grounds for the society. At the meeting of the society held March 26, 1859, the By-Laws were adopted. On motion, a committee consisting of Cary Peebels, H. H. Winchell, H. C. Melone, and Coleman Younger, was appointed to complete the purchase of the fair-grounds for the society, and collect the donations and pay for the grounds and receive the deed for the same; and were instructed to have the fair-grounds inclosed, whenever a sufficient amount of money had been donated to the society for that purpose, and were further instructed to have the track surveyed off after the grounds were fenced, and report to the Board of Managers. The park contains seventy-six acres, and is located on the Alameda, between San José and Santa Clara. The avenue leading from the entrance to the grand stand is one hundred and twenty feet wide. On the right as one enters, there are fourteen acres set apart and laid out in drives and walks, with ample grounds for a large pavilion, that will be built hereafter. (For this topic, we refer our readers to the close of this notice.) The grounds are now planted out, with two thousand six hundred forest and ornamental trees, and have made a fine growth. On the left, there are about seventeen acres for stalls and amphitheater; there are three hundred stalls erected for stock, in double rows, with an avenue one hundred feet wide running the entire length of the grounds on that side, with a double row of trees on either side of the avenue next to the stalls; these trees will in a few years give ample shade. In the center of these grounds, and at the back of the stalls, reaching up to the track, are the grounds for the amphitheater. This will be four hundred and fifty feet in diameter, and six hundred trees are planted on the outside for ornament and shade, and to assist in the construction of seats to make them durable and safe. When it is completed it will seat seven thousand five hundred people. The amphitheater will be large enough to exhibit one thousand head of stock at the same time. The trees are so planted that there is a grand entrance for stock, and one for them to retire. In the center there is a clump of trees for the

judges' stand, and for music. On the outside margin of this circle there will be a track, one-quarter of a mile around, for speed purposes. Then we shall have one of the fastest mile tracks in the State; judges' stand, and two large stands for visitors." Colonel Younger further pursues this theme in the following words: "It would now, not only be pleasant, but instructive to go back to that first meeting held under that 'Live-oak,' to see those old pioneers seated upon the ground under that beautiful tree, discussing the future of this valley, and planning to develop her future greatness. Then follow along as they and others struggled to plant this institution upon a firm and enduring foundation, against many difficulties—for you must bear in mind that the population of San José was then counted by the hundreds, and the county by a few thousands.

But let us follow them in their struggles. In the first place, they had no funds, no hall, no fair-grounds; the Board would appoint their committees to beg, and to sell, annual memberships, to form a basis for premiums; then they would have to cater for what we now call a hall, and for a piece of ground from some citizen, for a stock fair-grounds; and between the two, with other necessary expenses, they were in good luck if they came out even. And thus it continued for years, until the old committees, or, in other words, the old war-horses, were ashamed to beg. Our first stock fair would beggar description; but our fruits, grain, vegetables, and flowers, on account of the newness of the country, excited more interest than now. In our present advanced prosperity, we can hardly realize that we had such a beginning, with a population now in the county of thirty-five thousand, and in San José of eighteen thousand, with a fair-ground, worth nearly one hundred thousand dollars, splendidly improved and beautifully ornamented, our stock fairs, in every department, would do credit to any State fair. Now, for a moment, let us imagine the time when the pavilion will be completed according to the plan, and filled up with the mechanical inventions, and other industries of the country; and when the amphitheater, according to the plan, shall have been built, with seven thousand, five hundred spectators, seated, to view the exhibition of a thousand head of fine thorough-bred stock; the population of the town increased to twenty, or thirty thousand, and of the county to fifty thousand. That day will indeed be a proud one for the people of Santa Clara county, but will they ever think of the struggles of those few who built up this institution, and made it a grand success, dating back to the Live-oak meeting, and running up to the present date. There were one hundred and ninety-nine original contributors to the purchase and improvement of the fair-grounds, which ranged from three hundred down to one dollar, the county giving five hundred dollars. April 1, 1859, the Board, through the committee appointed to solicit subscriptions, and the sale of memberships, etc., had raised the sum of four-

teen thousand four hundred and sixty-four dollars, fifty-five cents. The expenses for the year 1859, up to November 29th, including purchase of fair-grounds, and improving the same, and expenses of holding the fair of that year, were sixteen thousand three hundred and ninety-six dollars and eighty cents. This was the first fair held under the Charter. Due credit should be given for those who planned and carried out this grand enterprise to its present success. This has been, in part, already done, but the main success is due to the members of the Board, the committee they appointed, November 6, 1858, and the addition made to that committee afterwards. These determined upon success. They visited every section, nearly every citizen in the county, presented the importance of acquiring fair-grounds while it could be done at a moderate price, and while the opportunity offered to make a selection that would meet the convenience of the public. By their energy, they raised the means to buy and improve this beautiful park. This was the constant labor, or nearly so, of several years. This Board and this committee were kept in power until they had completed the enterprise; the society was out of debt, and the fairs a complete success. This they did without ever receiving one dollar of compensation for labor performed, or money expended by them for necessary expenses. The exhibitions at the pavilion have been most attractive from the beginning, and the members representing the Horticultural Department deserve special mention on this occasion, for to them is due our success at the hall, and the grand developments of the fruit-growing capacity of the valley. The mention of the names of these gentlemen will bring up pleasant recollections: L. Prevost, William Daniels, B. S. Fox, E. W. Case, William O'Donnell, Joseph Aram, James R. Lowe, Sr., L. Pillia, D. T. Adams, J. Q. A. Ballou, L. A. Gould, L. F. Sanderson, and others. These gentlemen collectively, and by turns, have arranged and ornamented the hall, have furnished, with others, fruits, vegetables, and flowers, the two first of which, in size and flavor, challenge the admiration of visitors, while the last named, in variety and beauty, are hardly excelled in any country. They have made this department a great success, while, by their labors at home, and their exhibitions at the pavilion, they have written the history of the fruit-growing capacity of the valley, so that our fruits are shipped to all parts of the United States, and to Europe. Now, if I were to attempt to introduce to you the names of all those who contributed in any way to the success of the enterprise, from the beginning to the present time, it would be an endless task, but, as I have mentioned the names of some of the founders, in their proper place, and who worked this institution up to its present charter organization with great success, it may be eminently proper to mention a few of those who since that time have occupied the front, without any disparagement to many others who have done their duty. W. C. Wilson has occupied the Presidency of this

society for nine years, his administration being a great success. He has been aided by an intelligent and working Board. The various improvements at the park, the forest that has been planted, the grand exhibitions of stock—hardly equalled anywhere—and the financial success, shows that these nine years have been full of thought, energy, and labor. The President and the members of the Board deserve our congratulations. Especial mention, however, ought to be made of William O'Donnell and Cary Peebels, who were old members of the Board, and who did good service all along the line, nearly from the beginning up to the present date. Mr. O'Donnell drew the plan for the pavilion grounds and assisted, in part, to plant the forest and ornamental trees, but to Mr. Peebels is due the credit of completing, as it is now seen, this work, which has been a laborious task. He has superintended the watering, pruning, and cultivation of two thousand six hundred trees, for years, which was no light work.

We must now do justice to the one hundred and ninety-nine contributors, for without their aid the enterprise must have failed. Their liberality purchased the fair-grounds, inclosed the same with a high board fence, built stands, made the track, and assisted in many other improvements. These contributions were given with the express understanding that this property should never be alienated under any circumstances, but should remain intact as a park for all time—as a monument of their generosity. This park does not belong to the life members, as some think, neither to the Board of Managers, but to the society, and the humblest citizen in the county has as much claim upon it as the most influential. The newspapers from the beginning up to the present, have done good service and deserve our thanks. The ladies, from the first dawn of our society, have done nobly. Their display in all the ornamental departments and in some of the more domestic, have done them great credit, and added greatly to the attractions of the hall. The Sisters of Notre Dame deserve our thanks, for at an early time, when we needed help, they made a most attractive display at our exhibitions at the hall in paintings, drawings, and needle-work, which added greatly to the interest of the occasion. The citizens of Santa Clara county are proud, and have right to be proud, of this park—located between San José and Santa Clara, on the Alameda, surrounded on three sides by wide and beautiful avenues. In a few years the society will have one of the most beautiful parks in California, and when these towns shall become one, and the population shall increase to fifty thousand, then this park shall be a breathing place for them, where they may retire from toil, and inhale the pure air; then the labors of those who have built up this park will be appreciated."

We are informed that the foregoing history was penned several years ago at the request of the society; since then Colonel Younger has added some remarks on those who took an active part in its affairs that have passed

away, "whose memory ought to be cherished, not only by the members of the society, but by all pioneers, for in their day they devoted their time, talents and energy to develop and build up the resources of this, their young and undeveloped county, and they all lived to see their labors crowned with success. The following gentlemen have gone to their long rest: Major S. J. Hensley, Judge William Daniels, L. Prevost, J. R. Lowe, Sr., Judge D. Devine, L. Pillia, H. C. Melone, J. F. Kennedy, W. S. Letcher, John Yontz, H. C. Skinner. These were grand old pioneers; most of them have filled honorable positions in this county and State, and all occupied high positions among their fellow-citizens, all being distinguished in their respective pursuits. These eleven old pioneers will be honored and their memory cherished as long as there is a pioneer living in Santa Clara county. We love to think and talk about them. It required just such men to make this the rich and beautiful county that we now see it, and we hope the time will come when the society will build a monument in her beautiful park in memory of her honored dead. I must not close this without making honorable mention of my friend and co-laborer, Givens George, whose efforts were untiring in building up the society. He was Secretary for several years in her darkest days; his ability and honesty helped to carry her through to her present prosperity. The people of Santa Clara county have always responded when called on to help the society. Knowing that a new grand stand was needed for our large population, they have subscribed a sufficient amount for that purpose." Thus Colonel Younger concludes his sketch, but with that true spirit of gentlemanly instinct he has given praise to all except himself. To his energy and ability the society owes much; it is said that it was through his devotion that the grounds were ultimately purchased and the sum of seven thousand dollars subscribed to construct the grand stand, while the credit reflected on his exhibits at the State and county fairs, is cast back upon this valley, and the society of which he is so prominent a member, in such a manner as must be gratifying to all. The following are the names of those who agreed to lend the society one hundred dollars, and wait until the association could pay it back from the proceeds of the stand: William C. Wilson, T. Ellard Beans, E. C. Singletary, L. Lion, Coleman Younger, Rush McComas, Frs. E. Spencer. Wm. Quin, Cyrus Jones, Wm. Fischer, N. R. Harris, J. B. Randol, J. P. Sargent, Thos. H. Laine, Tyler Beech, M. Malarin, John H. Moore, Wm. L. Tisdale, Martin Murphy, W. H. Stone, Sarah L. Knox, L. D. Huntsman, Charles McLaughlin, Thos. Hildreth, Return Roberts, S. A. Bishop, L. Archer, Wm. E. Waters, E. O. Smith, C. B. Polhemus, Josiah Belden, David Belden, S. O. Houghton, C. Burrell, John Reynolds, R. K. Ham, J. S. Carter, H. M. Leonard, P. O. Minor, F. C. Franck, J. H. M. Townsend, E. L. Bradley, A. Lagarde, Wm. Boots, T. W. Spring, Wm. P. Hougherty, J. R. Arques, B. S. Fox, E. P. Reed, G. W. Rutherford, E. Mc-

Laughlin, J. H. Ogier, B. F. Graham, Chas. E. White, Mary Murphy, Mark Farney, J. P. Boyer, James McMahon, L. Goodrich, W. S. Clark, J. R. Weller, James A. Clayton, Theo. Lenzen, T. Andrews, S. F. Leib, Moses Davis, J. M. Battee, Wm. H. Ware, Jessa Cheney, D. M. Delmas, M. Levy, W. H. Wing, C. H. Maddox.

As an interesting record we now produce the subscription list for the purchase and improvement of the fair-grounds, November 28, 1859: Santa Clara county headed the list with five hundred dollars; William Daniels gave three hundred dollars; Martin Murphy, Sr., James Lick, Samuel J. Hensley, Josiah Belden, Philip G. Vibbard, W. M. Williamson, two hundred dollars each; Adolph Pfister, E. Auzerai & Bro., Calvin Martin, Thomas Bodley, Naglee, Peach & Billings, one hundred and fifty dollars each; James Murphy, one hundred and twenty-five; J. F. Kennedy, one hundred and twenty; Coleman Younger, H. C. Melone, Cary Peebels, William B. Thornburge, Hiram Shartzer, Rowley & Adams, A. S. Beatty & Bro., William Reynolds, S. B. Emerson, William McClay, H. H. Winchell, C. W. Pomeroy & Co., W. W. McCoy, E. W. Grover, W. W. Hollister, W. M. Lent, John H. Cameron, John Young, R. K. Ham, Daniel Murphy, S. P. Coburn, one hundred dollars each; Peter Quivey, seventy dollars; G. Mengarini, S. J., J. R. Lowe, Sr., Isaac N. Thompson, Aus. M. Thompson, Delavan Hoag, Henry Lawrence, Isaac Y. Brooks, Antonio Suñol, F. & J. Stock, R. G. Moody, V. D. Moody, Morris Wise, S. O. Broughton, E. J. Wilcox, Adam Holloway, L. Froment & Co., W. H. Hall, L. H. Bascom, John G. Bray, Santa Clara Brewery, B. S. Fox & Co., S. C. Young, J. R. Weller, Louis Prevost, William Aram, A. Lervies, John H. Moore, J. C. Cobb, G. B. Van Nest, L. Pellier, fifty dollars each; John Trimble, forty dollars; H. D. McCobb, Morgan & Johnson, Victor Speckins, S. S. Johnson, A. C. Erkson, John West, Horace Hawes, M. Jourdan, D. Gerdes, C. Columbet, Isaac Branham, John M. Murphy, G. W. Frazier, S. A. Clark, P. H. Burnett, C. T. Ryland, J. P. Springer, P. Saissait, J. Cerensky, John Balbach, Williams & Winslow, A. Delmas, J. D. Gunn, Loewe & Bro., Levy & Bro., Leddy & Statsman, Haskell & Porter, Yocco & Bro., Pearl & Reen, Lilly & Bothwell, J. W. Sims, William Matthews, E. W. Case, J. R. Wilson, Lawrence Archer, F. G. Appleton, J. B. Bontemps, G. George & Co., William McClay, N. Hays, John W. Hardwick, G. Brohaska, William Travis, Patrick Fenton, D. Williams, H. H. Warburton, James Scott, Mark Hardy, T. S. Bradley, John W. Leigh, J. A. Quimby, Freeman Gates, John Johnson, twenty-five dollars each; William T. Wallace, William S. Letcher, Jackson Lewis, P. O. Minor, Henry Deatsman, James Houston, Madan & Fosgate, F. C. Franck, J. N. Appleton, Massey Thomas, C. D. Cheney, twenty dollars each; H. & E. A. Van Dalsen, Joseph Bassler, George Bego, ten dollars each; Edward McGowan, eight dollars; C. W. Lander, T. D. Johnson, J. H. Scull, Mathew Mitchell, B. Bompard, James O'Brien, S. B. Montgomery,

R. F. Herrick, — Rich, five dollars each; J. L. Miller, Wesley Tonner, two dollars each; John Santana one dollar. In addition to the above the following labor and material was contributed free of cost to the society: George H. Bodfish, three thousand six hundred and forty-one feet of lumber at the mill, ninety-one dollars; Green Hanna, transporting it from the mill, thirty-seven dollars; J. P. Henning, two thousand seven hundred feet of lumber at the mill, fifty-four dollars; W. K. Bethel, one thousand feet, same as above, thirty dollars; G. B. Blanchard, seven hundred feet, same as above, twenty-one dollars; Henry Jarboe, lumber, twenty-five dollars; F. A. Shepard, lumber, fifteen dollars; F. S. McGirr, shingles, twenty-five dollars, Martin McCarthy, shingles, ten dollars; Jeremiah Miller, flagstaff, and sundries, fifty dollars; F. M. Fowler, one hundred and thirty posts, twenty dollars; H. Maffre, blacksmithing, forty dollars; L. A. Gould, pump, seventy-five dollars; J. Bassle, pump, nine dollars; C. E. Campbell, lead pipe, ten dollars; R. Fletcher, two sashes, one dollar and fifty cents.

Santa Clara County Pioneers.—In the early part of the year 1875, Colonel Younger conceived the idea of starting a Pioneer Society, for Santa Clara county, of all those who had arrived in California prior to 1853. After consulting among his friends, all of whom took kindly to the project, a meeting of a few of them was held in the rooms of the Agricultural Society. Cary Peebels was called to the Chair, and Alexander P. Murgotten acted as Secretary.

Mr. Peebels stated that the purpose of the meeting was to take steps towards the organization of a Pioneer Society for Santa Clara county, the object of which would be to cultivate social intercourse; to form a more perfect union among its members; to create a fund for charitable purposes; to form a library and cabinet, and to collect and preserve information concerning its members and the history of the State.

It was decided to hold a basket picnic at O'Donnell's Gardens, on the 22d of June, 1875, at which time the society would be regularly organized. A long list of the prominent pioneers of the county were appointed to assist in the organization.

A committee was appointed to draft a Constitution and By-Laws for the society, to be submitted at the picnic. The committee consisted of Colonel Younger, Judge A. L. Rhodes, John Trimble, Judge Davis Devine, and John M. Murphy.

A very large attendance of the pioneer citizens of the county, was had at the picnic, held at O'Donnell's Gardens on the 22d June, 1875. The same officers officiated as at the preliminary meeting. Colonel Younger was called upon, and briefly, yet forcibly, stated the objects of the meeting, and stated that he had, in connection with Mr. Murgotten, succeeded in getting a list of two hundred and twenty Charter Members, and invited any old pio-

neer present, who had not signified his willingness to join, to come up and sign the roll. The committee appointed to draft a Constitution, reported one which was unanimously adopted. It fixed the 22d June as the time for holding the annual picnic and gathering of the pioneers, and made the arrival on this coast prior to the 22d of June, 1853, as a qualification necessary for membership. The officers of the society are: a President, two Vice-Presidents, Secretary, Treasurer, and six Directors. The Directors have charge of all the business of the society. The annual dues were fixed at two dollars per year. The organization was then perfected by the election of Judge A. L. Rhodes as President; J. M. Murphy and P. O. Minor, Vice-Presidents; Alex. P. Murgotten, Secretary; Jno. H. Moore, Treasurer; Directors—Colonel Younger, Davis Devine, John Trimble, A. Pfister, Cary Peebels, and B. D. Murphy.

Judge Rhodes was succeeded by Colonel Younger, which position Mr. Younger held for four years, and displayed marked ability in the management of the society, when he was succeeded, in 1880, by Robert Page. Mr. Alex. P. Murgotten has held the office of Secretary since its organization, and through his individual exertion and zeal the society has accumulated a vast amount of pioneer information, and is possessed of a very interesting cabinet, composed of articles of great value as pioneer relics.

Of the other officers, Mr. A. Pfister is still a member of the Board, being a very valuable member of that Body. Davis Devine died during the term of his office, as have many more of the members of the society. One by one the old pioneers of the county are being taken over the range, to fathom the unknown, and still greater country beyond the confines of earth.

From the organization the society prospered rapidly, until its membership reached six hundred and thirty, but the dull years came, and the scarcity of money, in some degree, affected its growth, and many dropped out. But it still has a goodly membership, and will be a source of great satisfaction to the members, the pioneers, who have added so much towards building up and beautifying the Golden State.

The officers of the society, at the present writing, are as follows: President, Robert Page; Vice-President, A. Pfister; Secretary, Alex. P. Murgotten; Treasurer, C. W. Pomeroy; Directors, A. Pfister, J. H. M. Townsend, W. S. Gaines, Thomas Campbell, John Auzerai, S. O. Houghton.

The rooms are located in the Commercial Bank Building, at which all pioneers are invited to call.

Among the members of the society are Henry Jubilee Bee, a pioneer of 1830, still alive; Mrs. S. O. Houghton and Mrs. Mattie Lewis, survivors of the Donner party; John M. Murphy, the man who brought the barrel of gold-dust to the county; Hon. S. O. Houghton and A. Pfister of Stevenson's Regiment; Captain Aram, George Cross, Major Campbell, S. W.

Boring, Martin Corcoran, Thomas Fallon, Ed. Johnson, Judge Moultrie, John Trimble, Winslow Bennett, Mexican War Veterans, who assisted in conquering this country from Mexico; M. Schallenberger, the "boy hero of the Sierras," whose exploits and sufferings in those mountains, in the Winter of '44 and '45, command a place in history; and many of the prominent citizens of the county, in every avocation of life.

The officers for 1881-82; are as follows: President, John Trimble; Vice-Presidents, Robert Page and John Auzerias; Secretary, Alex. P. Murgotten; Treasurer, C. W. Pomeroy; Directors, S. O. Houghton, A. Pfister, Henry Lux, F. C. Franck, W. S. Gaines, J. R. Weller.

In the year 1877 the Society of Pioneers held a grand festival, when they were visited by their brethren of San Francisco, literary exercises being the order of the day. The oration was received with great applause, and the band having executed an operatic selection, the President introduced Miss Mattie Patten, who in an eloquent and able manner rendered the following beautiful poem, written by Sister Annie Fitzgerald, of the College of Notre Dame, and entitled:—

WELCOME TO OUR PIONEERS.

Not with cold, unmeaning accents,
Not with polished, formal phrase,
Not as strangers, greeting strangers,—
O, our friends of early days!—
Do we bid you cordial welcome,
In our frank but homely speech—
Aye, a heart's o'erflowing welcome,
Such as love alone can teach.

There is naught of labored straining
When the heart and lip agree;
Little need to weigh, or measure,
When our thoughts and words are free;
And, however rude the diction,
When the spirit's depths are stirred
To their inmost founts of feeling,
Who will cavil at a word?

Be the outer shell forgotten;
Let our words be what they will;
They are meant to shine in reverence,
Pearls of kindly welcome still;
Kindly, hospitable welcome
To our honored guests to-day;
Greeting to our Queenly City
From the hearts of San José.

Greeting to the loyal heroes
Of our young Land's early years,
Homage to the silvery honors
Of our noble pioneers.
Name that like a conjurer summons
All the past before our eyes—
Toils and struggles, wants and hardships,
Perils, dangers, sacrifice.

Name so linked and interwoven
With our country's weal and woe,
That we feel our pulses quickening
And our hearts and cheeks aglow,
While we own with grateful feeling
All the justice of its claim,
As it shines a fadeless nimbus
Round your well-won patriot fame.

Name that clothes with deeper meaning
Every scene around our way,
As we welcome you who wear it
On our fair State's natal day,
California! California!
Brightest, dearest, loveliest, best.
Ye were first to see her pillowed
On her Mother Union's breast.

Ye were first beside her cradle
When our great Mid-Century came,
With a trumpet-voiced "Eureka!"
Blazoning o'er the world her fame;
Ye were first beside her cradle
When our quiet valley town
Won and wore the fresh, green honors
Of the Capitolian crown.

And ye come to-day as pilgrims
To the fountain-head whence, first,
Living streams of Law and Order
O'er our sunset valley burst.
Ye are welcome! O, most welcome!
Unforgotten shall we hold,
In our civic wreath of memory,
This bright, shining leaf of gold.



W. Z. Angus

1

Woven amid the sweet joy blossoms
 Of our City's Hundred years,
 By the sunlight of your presence,
 O, our Country's Pioneers!
 Living witnesses of changes
 That we scarce can realize,
 Oh! we read the past reflected
 In the mirror of your eyes—

Eyes that watched our Land with pleasure,
 Day by day new charms unfold,
 Dawn to morning's splendor flushing,
 Merging now in noon's bright gold;
 Eyes that see to-day around you
 Fruitage of those by-gone years—
 Truth and Art and Science yielding
 Homage to our Pioneers.

Homage to each earnest toiler
 Of that brave devoted band
 That with heart, or mind, or muscle,
 Lent new glory to our land.
 Messengers of Truth and Justice
 That from Pulpit, Bench, or Bar,
 Teacher's desk, or sacred Tripod,
 Poured the light of Freedom's Star.

Honor to the earnest thinkers
 Who have guided and refined,
 Pioneers of Art and Science!
 Pioneers of heart and mind!
 Honor none the less unto them,
 Sons of Labor unafraid,
 Who have led in living channels
 Commerce, Agriculture, Trade.

Every phase of honest labor
 Wins our meed of thanks and praise,
 And no brows should go unlaureled
 Had we power to bind their bays.
 Were it all in will and feeling,
 We could yield you homage due,
 Open hearts and hands outreaching
 Unto hearts so warm and true.

Feeling all the debt we owe you,
 Hence with joy "too sweet for tears,"
 Do we give you heartfelt greeting,
 O, brave band of Pioneers!
 Open hearts and hands outreaching,
 As in good old days of yore,
 When we met as trusty comrades
 Round our ruddy camp-fire's roar.

With the warm and cordial greeting,
 And the hearty grasp of hand,
 One in fellowship of feeling,
 Brothers of one household band,
 While the starry banners o'er us,
 'Neath our calm September skies,
 To the balmy Autumn breezes,
 Spread or folded, sink or rise.

Every star upon their azure
 Wakening thoughts of by-gone years;
 Native State and home and kindred,
 Once your own, brave Pioneers.

Dear to you, to memory sacred,
 But, oh! dearer far ye hold,
 In your heart of hearts, the memories
 Of our precious land of gold.

And what marvel that ye hold her
 Nearest, dearest, fairest, best;
 Earth folds not a lovelier daughter
 To her ocean-clasping breast,
 California! California!
 From our inmost soul we pray,
 Still forever and forever,
 May God bless thy natal day.

Onward, upward, faltering never
 In thy march of mind and heart;
 Blessings on thy smiling valleys,
 Blessings on thy toiling mart;
 Blessings on thy sons and daughters,
 May thy fairest wreaths be twined
 Of the blossoms of their virtues,
 And the jewels of their mind.

May their lives, steeped in the influence
 Of thy beauty and thy grace,
 Win a soul-reflected radiance
 From thy shining, peerless face,
 As thy children—as the children
 Of a Mother such as thou—
 Such as Nature first arrayed thee,
 Such as Art hath made thee now.

May nor thoughts, nor words, nor actions,
 Be a discord in the strain,
 Rising in melodious chorus
 From each mountain, hill and plain,
 Proving thus our love and duty
 In the eloquence of Truth,
 Clothing with a Heavenly beauty
 Even our hours of care and ruth.

Thus indeed shall each reunion,
 Of the swiftly fleeting years,
 Crown, with added weight of honors,
 All our band of Pioneers—
 Hourly, daily, yearly fitting
 Deathless souls of young and old,
 For the spirit's wondrous birthday
 In God's City paved with gold.

Thro' whose gates of pearl has entered,
 From this shadowy "Vale of Tears,"
 Many a one who led the vanguard
 Of our valiant Pioneers.
 Honor, peace and reverence to them!
 Pillowed on their Country's breast.
 Shrined in many a loving memory,
 Oh! how sweet their hallowed rest.

DEAD—yet LIVING here amongst us—
 To their names our bosoms thrill,
 And their honored sons and daughters
 Keep their lives immortal still.
 Children of such worthy fathers,
 Heirs of California's fame,
 By your lofty soul and daring,
 Still prove worthy of the claim.

What is there we may not hope for
 From your warm outspoken zeal,
 Eloquence of word and action
 For our Country's lasting weal?
 What is there we should not hope for
 From your glowing patriot fires?
 Be it yours to keep forever
 Green the memory of your sires.

See ye keep alive the graces
 That they kindled into flame,
 In our Country's public places,
 In her lowlier walks of Fame—
 Love of toil and manly courage,
 Will to do and strength to dare,
 And through every fiery ordeal,
 Ay, a soul that laughs at care.

This the best and fittest tribute
 That our human love can pay
 To the honored dead; the living!
 Oh! to them once more we say,
 Faithful sons and loving daughters
 Of a mother we revere,
 To our hearts, our homes, our valley,
 Welcome, O most welcome here!

May His Hand who reared our mountains,
 Veined with wealth of glittering gold,
 May His Hand who wrapt our valleys
 In His Mantle's richest fold,
 May His Love who poured the fullness
 Of His Treasures o'er our years,
 Spare us long, and bless forever
 California's Pioneers.

With the poem, the literary exercises of the day closed, and all adjourned to another scene of festivity—the barbecue. On the east side of the grounds tables had been arranged, and were groaning beneath the weight of good things. They were soon relieved, however, and replenished until all who desired to eat had been satisfied, and large quantities remained untouched. After the barbecue was over dancing took place for about an hour, the music being furnished by the San Francisco Band. At four o'clock it closed, as the band had to accompany the San Francisco Pioneers on their return. The grounds, however, remained crowded after their departure, until the shadows of evening had gathered, when the homeward march began. During the festivities, a dispatch was sent to Francis D. Clark, President of the California Pioneers, who was assisting at the celebration at Long Branch, N. J., wishing them health and prosperity. A dispatch was received from them, containing the same wish, and one from the pioneer, John A. Sutter, bearing greeting. In every particular the celebration was a grand success, and the Twenty-seventh anniversary of California's Admission Day will not soon be forgotten.

The Bank of San José.—Successor to Knox & Beans, bankers. The first banking house in Santa Clara county was established by Wm. J. Knox and T. Ellard Beans, in the month of March, 1866, under the firm name of Knox & Beans. Office located in "Knox Block," No. 293 Santa Clara street, at present occupied by M. Levy's "Standard Clothing Store." Subsequent to the death of Dr. Wm. J. Knox, senior member, the business was merged into, and the firm succeeded by, The Bank of San José, organized January 31, 1868, for which articles of incorporation were filed by T. Ellard Beans, John G. Bray and C. W. Pomeroy, Trustees. Capital stock one hundred thousand dollars, divided into two hundred shares of five hundred dollars each. The first officers were John G. Bray, President; T. Ellard Beans, Cashier and Manager; C. W. Pomeroy, Secretary. On February 17, 1869, the capital stock was increased from one hundred thousand dollars to two

hundred and fifty thousand dollars, divided into five hundred shares of five hundred dollars each. January 10, 1870, Adolph Pfister was elected Trustee, *vice* C. W. Pomeroy. John G. Bray, President, died in January, 1871; T. Ellard Beans was elected his successor as President and Manager. C. W. Pomeroy was elected to fill the vacancy in the Board of Trustees, and Henry Philip to the Cashiership. In January, 1871, the lot at the north-east corner of First and Santa Clara streets was purchased with a view of erecting thereon a banking house with larger and more convenient offices than those in use since the establishment of the Bank. The realization of this project involved an expenditure of over one hundred thousand dollars, and built one of the finest structures in the city. The offices of the Bank are most conveniently arranged for the purposes intended. Supplied with large double vaults, containing Hall's best burglar proof safe, the security which has been further augmented by the addition of a Yale double chronometer time lock. The building was finished and occupied for business on June 15, 1872. Early in 1875 papers were prepared and filed with the Controller of the Currency at Washington, and all preliminary arrangements made to disincorporate under the State law, and to re-organize under the National Currency Act as The First National Gold Bank of San José. But on account of the financial crisis of that year, caused by the suspension of the Bank of California, the project was abandoned. On February 11, 1875, Henry Philips resigned the Cashiership, and Clement T. Park was elected his successor. Since the last date mentioned no change has been made in either officers or Trustees. They are as follows: T. Ellard Beans, President and Manager; Clement T. Park, Cashier; C. W. Pomeroy, Secretary; Trustees, A. Pfister, C. W. Pomeroy, T. Ellard Beans.

Capital stock\$250,000 00

Surplus July 1, 1881.....\$115,024 72

The Bank has been prosperous during the fourteen years of its existence. Has paid to stockholders one hundred and ninety-nine dollars, fifty cents in dividends, upon each one hundred dollars invested, and in addition thereto has accumulated a reserve fund exceeding one hundred thousand dollars.

The First National Bank.—Was organized July 11, 1874, those principally interested in its creation being John W. Hinds, E. L. Bradley, W. L. Tisdale, W. D. Tisdale, C. G. Harrison, C. Burrell, and E. C. Singletary. The officers elected in July, 1874—term to expire in January, 1875—were: John W. Hinds, President; W. L. Tisdale, Vice-President; G. P. Sparks, Cashier. These were succeeded in the following year by John Hinds, President; E. C. Singletary, Vice-President; W. D. Tisdale, Cashier. July 6, 1875, the office of Assistant Cashier was created and L. G. Nesmith, elected to fill the position. There was no change in the officers of the bank until

January 3, 1881, when C. G. Harrison was elected Vice-President in place of E. C. Singletary. The present officers are: John W. Hinds President; C. G. Harrison, Vice-President; W. D. Tisdale, Cashier; L. G. Nesmith, Assistant Cashier. Paid up capital, five hundred thousand dollars; Surplus Fund, thirty-eight thousand dollars.

FLOUR MILLS.—In a city like San José, the center of a vast agricultural country, flouring mills are a paramount necessity, and one which was early felt, as a reference to our chapter on the early settlement of the county will demonstrate. The establishments of this nature now in operation are:—

Moody's Mills.—This is the oldest mill now in operation in the city, and was first erected by R. G. Moody in 1854, on the bank of the Coyote creek, about the spot where Empire street strikes that stream. Here the propelling power was water procured from an artesian well; in the year 1858, however, the business was transferred to its present location on Third, near the corner of Santa Clara street, where steam was substituted for water to drive the machinery. The premises consist of the mill and warehouse with a capacity for the storage of forty thousand sacks of flour, and has its frontage on Third, but running through to Fourth street. The mill is supplied with an engine of forty horse-power, two run of stones, and has a working capacity of one hundred and twenty barrels of flour, and ten tons of feed in the twenty-four hours, while an annual business is transacted of about twelve thousand dollars. The owners are Moody & Brother, sons of the original possessor.

The Vineyard Mills.—This enterprise was started in connection with a distillery in the year 1854, by Gordon Cottrell, on the site it now occupies on the corner of Seventh and William streets. In the year 1858 it came into the hands of A. Pfister, the present proprietor. The mill is worked by water-power, has two run of stone, one for flour and one for feed, and has a capacity of sixty barrels in twelve hours.

FOUNDRIES.—The foundries of San José are, too, well worthy of attention, for nowhere can better work be turned out—indeed in some of them machinery and agricultural implements of a high class are manufactured, which have earned for the district a notoriety second to no other portion of the State.

San José Foundry.—There is no doubt of this establishment being the pioneer foundry of the district. It was first established in the year 1852, by Pomeroy & McKenzie, on the corner of San Antonio and First streets, where it remained until 1871; the present building being erected by Donald McKenzie. Here, in addition to a general moulding business, machine work

of every kind is manufactured and repaired, the facilities for such being complete. The commodious shop is fitted with all the latest improvements and capabilities for rapid and correct workmanship, while a speciality is made of the construction of various patented machines and appliances suited to the wants of an agricultural population, for most of which the proprietor has an exclusive right of manufacture. Among the most noteworthy of these are the "Pelton Six-fold Horse-power Threshing Machine," the Harris Tubular Harrow, a seed-sower of wonderful simplicity in construction combined with thorough efficiency; the "Hamond," and other windmills; gang-plows, threshing machines, and all the other implements necessary to the farmer. It is also worthy of mention that the iron-work used in the construction of the Court House, Jail, City and Central markets, and other prominent buildings in the city, were supplied by the San José Foundry. The machinery is driven by a steam engine of thirty horse-power, the whole of which is in excellent order, while from the artesian well on the premises, the city of San José was first supplied with water. This business is at present in the hands of A. McKenzie, a son of the original owner. The annual amount of work done has an average value of thirty thousand dollars.

Joseph Enright's Patent Straw-Burning Portable Engine Works.—This enterprise was founded by Joseph Enright in the year 1864, on the site it now occupies on the south-east corner of First and William streets. The principal manufacture here carried on is that of the Patent Straw-Burning Portable Engine, recognized by all to be the most perfect of its kind in use. A sale is found for it all over the State; in 1879-80, sixteen different counties, from Tehama to Fresno, and from Monterey to Napa, were supplied with these, while over two hundred are now in use in various parts of California. The patent is Mr. Enright's own. Sixty men are employed on the premises, which consist of all the necessary work-shops and machinery, this latter being driven by an engine of twenty horse-power. The yearly out-turn is in the neighborhood of sixty thousand dollars.

F. Kuchenbeiser's Works.—The manufactory of iron doors, shutters, etc., of F. Kuchenbeiser was opened in the year 1868 by that gentleman, and William Fruehling, under the firm name of Kuchenbeiser & Fruehling. In the year 1873, Mr. Fruehling retired from the business, since when it has been managed by the first-named individual. The premises are situated on Third, between Santa Clara and San Fernando streets, having a frontage of thirty feet on the first-mentioned. The establishment has supplied the iron vaults for the Commercial and Savings Bank, and Bank of San José, as well as many of the principal buildings in the city, among these being the State Normal School, while such fixtures as required in the County Jail at Hollister, San Benito county, and the large warehouses erected for Carter & Fried-

lander at Alviso, and those at Mountain View, were also the effort of this model workshop.

San José Brass Foundry.—Was established by L. Chaize in 1872, on Market street, opposite the "Mariposa Store" of Auzerai Brothers, but, in 1879, was transferred to its present location on Santa Clara street. Here every description of brass work is made and supplied.

Alameda Foundry.—The original promoters of this foundry were Messrs. Scott & Watkins, who commenced the business in the year 1875, and retained it until 1877, when it passed into the hands of a joint-stock company, who transacted their affairs under the style and name of The San José Agricultural Works, but, at the end of a year, in 1878, the premises and good-will were purchased by F. Altman, the present proprietor. The manufactures here produced are those peculiar to an agricultural district, separators, threshing-machines, plows, feed-mills, road-graders, etc., all of which are of an especial patent, which the proprietor either owns, or on which he pays a royalty. These implements find a sale throughout the State, the most sought after being the Scott & Watkins plow, and the road-graders. Employment is found for twelve men, and the yearly business done amounts to about eighteen thousand dollars.

MANUFACTORIES.—San José is second to no city on the Pacific slope in regard to the number and excellence of its manufacturing industries. In every quarter of the town is to be found some eminent example of the truth of this statement, and that this is so, is a credit alike to the city and its enterprising inhabitants.

The Pioneer Carriage Manufactory.—Here we have a veritable pioneer. In the year 1849 John Balbach established the first shop where a broken wagon could be repaired, or a new one built, on the site of the saloon of Chris. Gerdes, on Santa Clara street, opposite the Auzerai House, and next door to the San José Savings Bank. The building was of the pristine adobe, but was pulled down, in the year 1853, and a frame house erected on the ground, this, in turn, making way for the present brick erections, he then moving his business to Fountain alley, between First and Second streets, where he now is. The establishment is divided into three separate departments, and though under one roof, each has no partnership connection. The carriage manufacturing and blacksmith trade is carried on by John Balbach; trimming by L. F. Claus, and the painting by L. M. Castro. Twelve men are employed in the different workshops, while an average annual business of ten thousand dollars is done.

Pacific Carriage Factory.—This establishment was founded in the year 1874, by D. Hatman and A. Normandin, under the firm name of Hatman

& Normandin, on Santa Clara, between San Pedro and Vine streets, where a general carriage manufacturing business, to the amount of from eight to ten thousand dollars per annum, is carried on. There are nine men employed on the premises.

Alameda Carriage Factory.—In the year 1876, this factory was established by Fitzgerald Brothers, but two years later, 1878, it became the property of James Fitzgerald, who carried on the trade at the present workshop, situated at the corner of the Alameda and St. Mary's street. Here street-cars, farm wagons, etc., are manufactured to supply this and other counties, while there are six men employed on the works, which average an annual out-turn of about five thousand dollars.

Globe Carriage Works.—These works are in a fine brick building, erected in 1878, on San Fernando street, they having originally occupied a position on St. John street. Here occupation is given on the average to ten men, though there are facilities for working twenty. The business comprises every manner of carriage and blacksmith work, divided into separate departments, that of carriage-making being owned by T. Bement; painting and trimming, by Greeninger & Young; and the blacksmith-shop by Chris. Bergstrom.

Albert Lake Box Factory.—Was established by Hobbs, Gilmore & Co., in the year 1864, and by them retained until 1872, when it was purchased by the present proprietor, Albert Lake. Here are manufactured boxes and wash-boards from lumber imported from Placer county. The yield is about two hundred thousand boxes and fifteen hundred dozen wash-boards per annum. The premises are situated at No. 146 San Pedro street.

San José Box Factory.—This factory, the property of L. G. Sresovich, was established in 1878, and is in connection with the fruit-packing house of that gentleman. The lumber used is principally obtained from the Truckee Lumber Company, which is imported in its rough state and sawed on the premises in a mill containing two circular saws. The wood-work was formerly brought to the factory ready for making into boxes, but since the erection of his private mill Mr. Sresovich has been enabled to turn out these for himself. The dimensions of these buildings are, the factory, one hundred and thirty by thirty feet, and the saw-mill thirty feet square.

Eagle Coffee and Spice Mills.—This industry was first started in 1867, by Barrett, Caswell & Hunt, on Santa Clara street, in the Opera House building, but after a short time Mr. Caswell severed his connection with the concern. After remaining in the firm three years the first-named gentleman disposed of his interest to R. T. Priest, Albert Lake was admitted into partnership, the present premises on Fourth street were constructed, and the

coffee and spice business amalgamated with the box factory of Mr. Lake. This company lasted a year, during which Mr. Bettinger purchased the interest of Mr. Priest; Messrs. Hunt and Bettinger then bought out Mr. Lake, and in January, 1875, S. B. Hunkins purchased Mr. Bettinger's share and the firm became Hunt & Hunkins, the present proprietors. The general business carried on is the manufacture of coffee—roasting, grinding and packing—which is obtained in the raw state from importers, and after the processes mentioned above, is shipped to customers in all the surrounding counties, the average amount thus sent away being nearly fifty tons per annum.

Santa Clara Valley Mill and Lumber Company.—This concern was originally started in the Fall of the year 1864, by W. P. Dougherty, on the site of Druid's Hall on First street, where he had a lumber-yard. In 1869 an interest was sold to C. X. Hobbs and Samuel McFarlane, when the style of the firm became Hobbs, Dougherty & Co. In the following year, William H. Hall and Mr. Dougherty purchased the share of Mr. Hobbs, and the name of the firm was changed to W. P. Dougherty & Co., who bought out, in 1870, the sash factory and planing-mills of Metcalf & McLellan and W. W. Pratt, as also the lumber business of McMurtry & McMillin, when more extensive premises being required, in 1871, they moved to those now occupied by them on San Fernando street, between Third and Fourth streets. The cares of the firm had in 1873 so increased that in that year the business was incorporated, in accordance with the laws of the State, as the Santa Clara Valley Mill and Lumber Company, the Directors being B. P. Rankin, James M. Thorp, Jacob Lenzen, W. W. Pratt, W. H. Hall, James Dougherty, and W. P. Dougherty; the President of the association is W. P. Dougherty and the Secretary, James M. Thorp. The ground on which the premises stand in the city of San José occupy five fifty-vara lots, while the wood-work turned out by the sash and planing mills is deemed the finest in the State; indeed, from this establishment has all the material of this nature been supplied to many of the magnificent mansions in the surrounding counties, notably that of J. C. Flood, the "Bonanza King," at Menlo Park. The lumber-mills of the company are situated in Santa Cruz county, about twenty-five miles from San José, on the line of the South Pacific Coast Railroad, where they own timber lands of eight thousand acres in extent.

Independent Mill and Lumber Company.—Originally started as a private concern by T. J. Gillespie. A short time thereafter the business was incorporated under the laws of California July 1, 1876, with the following officers: Directors, A. C. Stoddard, C. C. Cook, Smith Henderson, James M. Young, T. J. Gillespie, and J. W. Lowry; T. J. Gillespie being elected Presi-

dent, with J. W. Lowry Secretary. The corporation are dealers in all kinds of lumber; are manufacturers of mouldings and brackets, and produce all manner of mill-work, such as planing, sawing, wood-turning, etc., while in connection with the mill is a lumber-yard, the wood being the product of the Santa Cruz mountains. The officers for the year 1880 are: C. D. Wright, John Reynolds, H. W. Arbogast, Albert Mills, J. F. Sparrow, Directors; the President is C. D. Wright; Secretary, John Reynolds; Treasurer, C. M. Ayres, and Manager and General Superintendent, R. S. Swain. The company have their offices on San Pedro street, between San Augustin and St. James streets.

Sierra Lumber Company.—The headquarters of this company are at Red Bluff, in Tehama, and Chico, in Butte county, with an office at the corner of Fourth and Channel streets in San Francisco, and an agency on the Alameda, near the depot of the South Pacific Coast Railroad, in San José, which was established in January, 1880, with V. B. Wordward in charge, who is prepared to supply customers in any quantities, with doors, blinds, sashes and sugar-pine lumber.

California Broom Factory.—The manufacture of brooms, brushes and wisps was permanently commenced by M. W. Wilcox in the year 1870, on the premises he now occupies on Bush street, near the Alameda, which cover an area of one hundred and fifty by one hundred and ten feet. The material used in the business is procured from the banks of the Sacramento and San Joaquin rivers, and when made up finds a ready market in Santa Clara and the contiguous counties. Mr. Wilcox employs ten men, who make on the average from eight to ten dozen brooms per day.

Angora Robe and Glove Company.—In the year 1875 this business was inaugurated as a joint-stock company, with C. P. Bailey, President, and A. L. Pomeroy, Secretary. On July 31st of that year it was incorporated under the laws of the State of California, with the above officers, since when it has maintained a flourishing business. The principal articles made are robes, whip-lashes and gloves, the latter being a speciality; these find a market in California, Oregon, Utah, Nevada and Colorado, where they are much prized. There is a tannery connected with the establishment, on the Guadalupe creek, where there are twelve men employed, while occupation is given to thirty-five persons in all. The average yearly business amounts to between thirty and forty thousand dollars, and the present directorate consists of C. P. Bailey, President, with James H. Pierce, Secretary and Treasurer. Situated on First street.

California Glove Factory.—This enterprise was first commenced by M. W. Wilcox and George Williams, in 1874, and by them continued for two years, when, in 1876, Mr. Wilcox purchased the interest of Mr. Williams and

has since carried on the business in his own name at the factory, 278 Santa Clara between First and Market streets. The leather from which the gloves are chiefly made is procured from San Francisco and Napa, already tanned, and here handed out to workers, there being forty and more women who are permitted to sew the gloves at home. A speciality is made of those kinds used for driving, or in the harvest field—a strong serviceable glove—while another style is now being manufactured known as the waterproof glove, which does not, like other kinds of leather, stiffen when wet. Seven men are employed in the workshop, while the average yearly value of work done is about twenty-five thousand dollars.

Soda Works of Williams Brothers.—In the year 1854 Thomas and David Williams commenced the bottling of aerated waters from the spring at the New Almaden mines, but in 1857 moved into the city of San José, purchased the apparatus of Gericke & Leach (who had the first establishment of the kind in the town, on Santa Clara street, on the site of the Knox Block), and commenced the manufacture of soda-water on the premises they now occupy on St. John, between First and Market streets. From the spring, in 1854, the amount bottled was about one hundred dozen per day; it is now three times that amount, while customers are found in all the contiguous district and counties, who are supplied by means of wagons.

Eagle Brewery.—This establishment was first put into operation in the year 1853, on a site on Market street where San Antonio street strikes that thoroughfare. It was the first brewery in San José, and was conducted by its proprietor, Joseph Hartmann. In 1856 he moved it to its present location at the corner of Market and San Carlos streets, where Mr. Hartmann carried on the business until his death, March 19, 1877. In the following month the affairs of the brewery were purchased by George Scherrer, the present proprietor. In the first year of its establishment the yield was about six barrels a brew; it is now five thousand barrels per annum. Hops are procured from San Francisco, and the barley used in making malt from the Santa Clara valley; five men are employed in this industry, while the Eagle brewery alone supplies four thousand barrels a year to the city and neighborhood. The premises occupy seventy-five by two hundred and thirty feet, and comprise the necessary offices and engine-house.

Krumb's Brewery.—In the year 1856, L. Krumb started a brewery on the site now occupied by the Swiss Hotel, on Market, between San Augustin and Santa Clara streets. On this location it remained until 1860, when it was transferred to the corner of First street and Fountain alley, now occupied by Walteufel's book store, and, in 1864, was thence removed to its present position at Nos. 377, 379, and 381 Second street, between Santa Clara and San Fernando streets, the premises occupying an area of seventy

by three hundred and five feet. Here are to be found buildings and appliances for the production of beer, besides an artesian well two hundred and ninety-six feet in depth, the water from which is used for brewing purposes. When first started, in 1856, the yearly yield was two hundred and fifty barrels; it is now two thousand. Mr. Krumb employs constantly four men, while his brewing is done by means of a twelve horse-power steam engine, manufactured at the works of Joseph Enright, in San José. The beer produced at this establishment is exported to San Francisco, and finds a large sale, as well in this as in the adjoining counties.

Lion Brewery.—The institution now under notice was established more than ten years ago, by Philip Doerr, under the name of the San José Brewery. Its original site is that which it now occupies, on William street, between Third and Fourth streets. Mr. Doerr carried on the business until August, 1880, when it was purchased by A. W. Bode, and C. H. Stafford, who, on taking possession, altered the name to that which it now bears. The premises are supplied with all the necessary offices and apparatus for brewing purposes, while the annual product is in the vicinity of a thousand barrels.

Fredericksburg Brewery.—This, the most extensive and complete brewery in the county, if not in the State, was first established in the year 1869, by Fred. Krahenberg, in a shanty, on the corner of Cinnabar street and the Alameda, where now stands the splendid fabric of Schnabel & Denicke. In 1870, Mr. Krahenberg admitted Alfred Recard into partnership, continuing the business in the original building. Mr. Recard sold out his share to Schramm & Schnabel, in 1872, and the style of the firm became Krahenberg & Co. In this year, a new brew and malt house, as well as other buildings were erected of brick, the dimensions of these being: malt house, one hundred by fifty feet; brew house and cellars, one hundred and sixty by forty feet; and fermenting house, supplied with all the latest improvements, eighty by forty feet; while the trade had increased to between four and five thousand barrels per year. In 1876, Mr. Krahenberg disposed of his stock in the concern to Schramm & Schnabel, who gave their name to the firm, which it maintained until the month of April, 1880, when E. A. Denicke buying out Mr. Schramm, the designation of the copartnership became Schnabel & Denicke, that which it now bears. The ground on which the Fredericksburg brewery is located has two artesian wells, of five hundred and twenty-one, and one hundred and seventy-five feet in depth, the property occupying an area of two acres. Besides being supplied with a refrigerator, whereby ice may be manufactured, and water cooled to the necessary standard, it possesses a department for pitching kegs, under the Anhauser patent, as well as a thirty-five horse-power engine to drive the machinery. The barley used

is entirely the product of the Santa Clara valley, while the malt is wholly made on the premises. Last year, the fiscal year to May 1, 1880, the amount of beer sold was ten thousand, two hundred and one barrels, which found a ready market all over the Pacific coast, the Territories, and even in Mexico, and the expectation is that the year 1880-81 will see a production of fully twelve thousand barrels. It is pleasant to record that the proprietors leave no stone unturned so that a pleasant and healthful beverage may be produced; improvements are constantly being made so that the standard of the beer may be bettered, and the proof that it is so rectified is to be found in the annual increase in the manufacture, sale and consumption of Fredricksburg beer.

Tannery of Grozelier & Nelson.—Occupying two fifty-vara lots on the corner of Park avenue and River street, stands the establishment now under notice. It was commenced on its present location, in the year 1860, by Simon Grozelier and Gustavus Nelson, and was the first, and is the only tannery in the city of San José. The premises comprise beam house and curriers shop, indeed, all the requisite adjuncts to the manufacture of leather, the machinery for which is now driven by an engine of sixteen horse-power, which took the place in 1863, of a horse-power mill. The tan bark, of which there is an annual consumption of about five hundred cords, is procured in the Santa Cruz mountains, and the hides come partly from San Francisco, and partly from the Santa Clara valley, the leather manufactured being principally sole, harness, skirting, bridle, kips, and calf-skins, of which there is an annual out-turn of about ten thousand hides, a sale being found for them all over California. The leather here produced will bear favorable comparison with that of any other tannery in the State. Steady employment is given to fifteen men.

Soap Manufactory of Carl Tischer.—Mr. Tischer's soap manufactory is situated on Orchard, between Colfax and Balbach streets, and was established in 1876. The material used is procured from San Francisco; the machinery is driven by steam; while, customers are found in nearly all the grocery stores of Santa Clara and adjacent counties.

The San José Woolen Mills.—When Judge R. F. Peckham was on a visit to the Eastern States in 1868 he visited many of the leading manufacturing establishments of the New England States, especially those engaged in the production of silk, cotton and woolen goods, and carefully inspected their *modus operandi*.

In this visit his childhood love for mechanics and machinery revived in all its pristine vigor, and as the saying goes, once a man and twice a child, he determined to try and have a toy in San José, in the shape of a respectable-sized woolen mill; and to that end he gathered all the necessary statistics in

regard to the cost, expense of operating, and products of such an institution. Armed with facts and figures he returned to San José.

He estimated that a mill with six sets of carding machines, with other machinery to keep these cards in operation, was the smallest that could be worked, with a view to economy in the cost of production, and that a paid up cash capital of two hundred thousand dollars was absolutely essential to its construction and operation.

He consulted with some of his financial friends in regard to the possibility of raising, by means of a joint-stock company or corporation, the necessary amount of money for the purpose. They were willing to aid in the concern—probably not so much with the expectation of mere profit, as the encouragement of a manufacturing spirit in the community—but thought that the better way was to organize on a capital of one hundred thousand dollars; build the mill, get it ready for operation, then double the capital stock, and get the rest of it taken; and call it in by installments as needed to give the concern a working capital.

This plan was adopted. The company organized and one hundred thousand dollars of stock was subscribed in a short space of time. Thirty per cent. was paid in and the work of construction commenced in 1869. Judge Peckham was elected President and managing agent of the company, and has ever since remained in that position. He was his own mill-wright, drew his own plans and specifications, located, geared off and regulated the speed of his machinery, and superintended the business of construction. When the mill was completed it was pronounced a first-class one in every respect. The cost was eighty-three thousand dollars; leaving only seventeen thousand of the original capital.

The capital stock was doubled, and made two hundred thousand dollars; but when it was put upon the market, the woolen-mill had got to be an old story. It was not the kind of stock demanded by the public appetite. Santa Clara county was thoroughly canvassed and seventeen thousand dollars of the new capital was all that could be converted; and the concern was thus compelled to start operations with a quick capital of thirty thousand dollars, barely enough to pay the running expenses for ten weeks.

But there was no alternative, operations had to start in this cramped condition, or not at all. And for two years the business was carried on with this limited means. Capitalists and bankers had no confidence in manufacturing in this State; in fact it was something to which they were entirely unaccustomed. There was no respectable mercantile house on the Pacific coast that would take the products on consignment and advance money to carry on the business except at rates of interest and commissions that would eat up all the profits and sink the capital. Cash had to be paid for dye-stuff and they had to be brought around the Horn; and about a year's sup-

ply kept on hand. Cash had to be paid for fuel, and enough procured in the Summer to last through the Winter and Spring. Cash had to be paid for labor; and cash had to be paid for stock, and it had to be bought while it was in the market, and carried until wanted for consumption. About forty thousand dollars' worth had to be carried in the different stages of manufacturing. Then the company had to establish their store in San Francisco and sell their own goods, and carry a large assortment to sell from. Then it was found that there was no demand for goods in the piece as nearly every one purchased their clothing ready made, and therefore the goods, before they could be sold, had to be made into clothing. Then a large stock had to be carried until wanted by the trade. They had to be sold on a credit of ninety days. Some would pay promptly and others would take four and six months, and even a year before they paid. So that the average credit was from one to two months beyond the stipulated time.

Under these circumstances every bill and obligation of the company, except at their own bankers, were always met and paid promptly at maturity but every conceivable scheme had to be resorted to to raise the money. As high as ten thousand five hundred dollars interest was paid by the company in one year. Consequently there were no profits left for the stockholders. Among the persons of whom the company bought stock and supplies, there was no want of credit; but it was evident that bankers and capitalists were losing confidence in the concern, and although it never lost a cent of its capital, it was losing its credit when that was most needed; and a loss of its credit among moneyed institutions had but one ending and that was failure and bankruptcy.

For several months the Judge did not know when he went home at night, whether he could make his payments next day. He became sleepless, nervous and melancholy to a degree bordering on insanity in the contemplation of seeing all his cherished plans and hopes dashed to the ground. He finally concluded to make a bold push, and if the company had to go into liquidation it should go while it was solvent, though every dollar put into the business should be lost to stockholders.

He called the stockholders together and explained to them the true condition of affairs. He showed them the amount necessary to carry on the business with any expectation of profit; and the impossibility of carrying it on without it. He showed them the amount of liabilities; the amount of the assets and their inconvertible character. He showed how the company could go into liquidation and pay up, but there would be nothing left for stockholders; and he recommended that they either let the property go and pay their debts while they could, or try and raise a capital of their own and put the mill on a working foundation.

This raised a storm of indignation. "The woolen-mill was a failure, it

was bankrupt; and it was his fault, his own incompetency and bad management. He knew nothing about the business and they were fools for assisting him in the first place, they ought not to have done it." Such were the many expressions. It raged with such violence that his best friends advised him, that in order to have the first steps taken for saving the company it would be necessary for him to retire from the Presidency. But upon reflection a different idea began to prevail. It was that, though he knew nothing about the business when he commenced he must have learned something and might be better than a green hand. And as he was the one that got them into the scrape, he might be the best one to get them out again; and it might be difficult to get any one to fill his place—at any rate it would do no harm to listen to his suggestions.

They were as follows: The company had eighty-three thousand dollars of its two hundred thousand of capital stock undisposed of. Double the capital stock, make it four hundred thousand dollars; dispose of two hundred and eighty-three thousand dollars to anybody that would take it for thirty-three and one-third cents on the dollar. This would give the company a paid up capital of two hundred and eleven thousand dollars, or eleven thousand more than he originally estimated would be necessary.

This was adopted and carried out with the proviso that each of the old stockholders should have the right to subscribe for his share of the new stock, and that no subscription should be binding until the whole amount was taken. In less than a month from the time the books were opened, the Judge had the satisfaction of seeing them closed. During the third year the money was all paid in, and the debts of the company satisfied. And in less than six months thereafter the woolen-mill began to pay good dividends and they have ever since been continued.

The character of the goods made are unsurpassed. The products are about two hundred and fifty thousand dollars annually, and they are in demand from San Francisco to Boston, with a small but growing demand in China. The woolen-mill stock, if any could be found on the market, would be as good as that of any banking institution; but none has been seen for the last two years, while during that time twenty-five per cent. of all the woolen manufactories in America have been forced into liquidation. The San José Woolen-Mill Company has not overdrawn its account at the bank, on the contrary, has received as high as one thousand dollars per annum on deposits.

The management of the mills reflects great credit upon its President and Superintendent, and stands as the leading industry of this portion of the State. Its success is but a fulfillment of what patience, perseverance and plenty of muscle will do. The mills are situated at the corner of San Pedro and Hobson streets.

FRUIT CANNING AND PACKING ESTABLISHMENTS.—With the completion of the grand trans-continental railroad, the facilities for San José becoming the center of an industry comprised in the canning, drying and packing of fruit for the Eastern and other markets at once manifested itself. The business was started at first with caution, and every step in the advance of the trade watched with critical eyes; that the return has realized the fullest expectation is to be seen in the numerous prosperous establishments of this nature in the city of San José.

Porter Brothers.—The business of this firm in San José is merely that of a purchasing and forwarding agency for the firm of Porter Brothers, wholesale dealers in foreign, domestic and California fruits, No. 103 South Water street, Chicago, and was established in the year 1869, on the opening of the Central Pacific Railroad. Since then, during the proper seasons, they have shipped annually, on an average, one hundred car-loads of green and from two to three of dried fruits, as well as about two car-loads of nuts, almonds, etc. On arrival at Chicago these fruits are distributed to all parts of the world.

San José Fruit Packing Company.—In the Summer and Fall of 1872 J. M. Dawson and W. S. Stevens commenced in a crude and experimental way to can fruit. They succeeded in putting up a few hundred cases for the market, and, encouraged by their efforts, the next year formed a company, under the firm name of J. M. Dawson & Co., composed of J. M. Dawson, W. S. Stevens, and Lendrum, Burns & Co. They rented the corner lot on Fifth and Julian streets, where the San José Fruit Packing Company is now located, and there built some rough buildings, procured a small boiler, fitted up according to the best information they had, and enlarged their business very much from the previous year, putting up about four thousand cases. The next year, 1874, finding the demand for their can-goods still increasing, even beyond their means, as well as their capacity, in June they took into partnership Wilson Hays, and further enlarged their works and products. In January, 1875, the present company was formed and incorporated in accordance with the laws of the State as the San José Fruit Packing Company, the following gentlemen as incorporators: J. M. Dawson, W. S. Stevens, John Burns, Wilson Hays, H. A. Keinath, T. B. Dawson, and George Lendrum, and succeeded the old J. M. Dawson firm. From these small beginnings it has, in seven years, grown to be one of the first institutions in the county, employing over three hundred hands, mostly women and girls, during the running season, and canning about one million cans a year, which involves an outlay in the county of over eighty thousand dollars annually for help and fruit alone. Under its present able management the enterprise is flourish-

ing and prosperous. The present Board of Directors is: J. Q. A. Ballou, Wilson Hays, J. H. Ogier, J. H. Barbour, W. H. Wright, J. L. Rhodes, and D. S. Payne. The officers are: J. Q. A. Ballou, President; Wilson Hays, Vice-President; J. H. Ogier, Treasurer; J. H. Barbour, Secretary and Superintendent; W. H. Wright, Assistant Secretary.

Golden Gate Packing Company.—This enterprise was started in the year 1875, as a partnership concern, among the original proprietors being W. H. Muntz, and W. S. Stevens; it afterwards became the property of a joint-stock company, and was finally incorporated under the laws of the State of California in 1877, by F. S. Hinds, A. P. Jordan, and H. A. Keinath, of San José. The original premises, which occupied the site of the present structure, were burnt December 19, 1879, those now in use being built on its ashes, and completed in May, 1880. It is a two-story fabric, one hundred and twenty feet in length and eighty in width, and comprises a wareroom on the lower floor, one hundred and twenty feet by forty, office, label and case room, the balance of the building being devoted to piling goods and other work. The cans in which the fruit are put are entirely manufactured on the premises, the cases being purchased as required. During the season employment is given to three hundred persons, principally females, while the business is on the increase, each year showing a larger export, chiefly to Eastern and foreign markets. The works of the Golden Gate Packing Company are situated between Julian and Empire streets, on Third and Fourth streets, and the officers are: G. B. Bowman, President; John W. Hinds, Vice-President; George M. Bowman, Secretary and Superintendent.

California Fruit Packing Company.—This company have their works on Third street, between Julian and Empire, and was established in 1880, the head office being at Nos. 505 and 507 Sansome street, San Francisco. Here a large fruit packing industry is carried on, giving employment to more than one hundred persons, the whole under the management of R. Sresovich. The works are divided into distinct departments, the fruit-drying portion having been in existence since 1876; there was also a wine cellar on the premises, which was unfortunately destroyed by fire in 1879, with a total loss of fifteen thousand gallons of wine. These cellars are now in the course of reconstruction, and the expectancy is to manufacture ten thousand gallons this year. The dimensions of the different buildings are as follows: fruit-packing room, one hundred and forty-seven feet long and forty wide; fruit-drying room, one hundred and thirty feet long, and twenty-five wide; cellars, forty feet square, and eight feet high.

NON-COMMERCIAL CORPORATIONS.—Under this head it is purposed to produce those enterprises which have no direct relation with the commerce of the county, but are created more as public benefits than for mercantile gain.

San José Gas Company.—This association was started October 6, 1860, under a franchise granted, by the Common Council of the city of San José, to James Hagan, who, immediately thereafter, commenced the erection of the present works, on the corner of Third and San Fernando streets. In the same month the company was incorporated, under the laws of the State, by James Hagan, James K. Prior, and Thomas Anderson. Mains and pipes were first laid October 24th, from the works, along Third and San Fernando streets, thence to First street, to Santa Clara street, then north and south on Market street, and on January 21, 1861, houses were first lighted, the gas being supplied to eighty-four consumers, at the rate of ten dollars per one thousand cubic feet. In 1862, street lamps were erected and the public thoroughfares illuminated, since when the company has extended its mains to the town of Santa Clara, a distance of three miles. During the first year, the consumption of gas was one hundred and sixty-five thousand cubic feet, while the consumption of coal was ten tons on an average. In the year 1875, the fifteen years' privilege, originally granted by the Council, having expired, right was granted, in 1878, to a new company, called The Garden City Gas Company, to make gas by a new system, known as the "Low Process" or water gas, in which year they commenced operations. Works, of an exceedingly substantial character, were erected by them, on San Augustin street, outside of the incorporated limits. Gas of this manufacture was first used on June 17th, of that year, and keen competition ensued between the rival companies, while the price of the article declined to one dollar and fifty cents per one thousand cubic feet. The opposition was too strong, however, for the Garden City Gas Company; they existed until February 1, 1879, when they retired from the contest, the "San José" acquiring their property, and thus gained the control of the entire gas supply of the city as well as that of the town of Santa Clara. With the increase of consumption the price has declined, until, instead of paying the original price of ten dollars per one thousand, the cost is now three dollars and fifty cents for the same number of cubic feet. At the present time, the product of the two processes, water gas and coal gas, is being used, both being mixed and distributed through mains of about fifteen miles in length. The premises on Third street occupy two fifty-vara lots running from Third to Fourth street, and comprise office, retort house, gasometers, coal shed and purifying house. The works on San Augustin street, near the Alameda, cover nearly three-fourths of an acre, the principal buildings there being the retort house, purifying room, coal shed, as well as a gas-holder, generator and superheater. The present Directors of the company are: James Hagan, James K. Prior, C. T. Ryland, William Buckley, C. N. Felton; the President being James Hagan; Secretary, Austin Roberts; and Treasurer, C. T. Ryland. The two establishments are connected by a telephone.

San José and Santa Clara Horse Railroad Company.—In the month of March, 1868, the Legislature of California granted a franchise, to S. A. Bishop, Charles Silent, Daniel Murphy, D. B. Moody, and their associates, to construct a horse railroad along the Alameda, from San José to Santa Clara. Messrs. Murphy and Moody having declined to avail themselves of the franchise, a new Directorate was organized as follows: S. A. Bishop, John H. Moore, Charles Silent, Hiram Shartzer, B. Bryant, and D. W. Burnett, from among whom the following officers were chosen: President, S. A. Bishop; John H. Moore, Treasurer; and Charles Silent, Secretary. On August 31st, work was first started on the road and completed the 1st November, on which day the cars made their initial trip, running from First street, in San José, to Main street, in Santa Clara, a distance of three miles and a half. In 1869, the line was extended eastward along Santa Clara street, in San José, to the Coyote creek bridge, now known as East San José, nearly one mile and one-half farther, making the whole length of the road about five miles, but the distance being considered too great for horses, if driven at the requisite speed, permission was granted by the Board of Supervisors, July 6, 1870, to use steam, pony, or pneumatic propelling power, while, November 6, 1877, authority was granted to run the cars over the said bridge, along Santa Clara street to McLaughlin avenue.

Market Street and Willow Glen Horse Railroad Company.—A franchise was granted February 11, 1876, by the Board of Supervisors of Santa Clara county, and the Mayor and Common Council of the city of San José, to C. T. Bird, Charles B. Hensley, John Auzerais, F. J. Saufrignon, J. C. Bland, Oliver Cottle, Isaac Bird, F. Brassy, T. W. Spring, James R. Lowe, R. C. Swan, and S. Newhall, to establish a street railroad. This enterprise developed into the Market street and Willow Glen Railroad Company, which was incorporated in accordance with the laws of California, February 23d, by C. T. Bird, John Auzerais, J. J. Denny, Isaac Bird, F. J. Saufrignon, C. Yocco, F. Brassy, from among whom the following officers were elected: J. J. Denny, John Auzerais, Isaac Bird, F. J. Saufrignon, and C. T. Bird, Directors; C. T. Bird, President; John Auzerais, Treasurer; and F. Brassy, Secretary. The route originally authorized was from the intersection of Julian and Market streets to Willow street; it has since, however, been extended from Willow street to Lincoln avenue, and from Julian street to the depot of the Southern Pacific Railroad Company, the entire length of the line being a fraction less than three miles. The company's stables and terminus are on Willow street; they run nine horses, three cars, and employ four men. The present Directors are: C. T. Bird, John Auzerais, F. J. Saufrignon, F. Gambert, F. Brassy; the officers, F. Gambert, President; F. Brassy, Treasurer; J. J. McLaurin, Secretary.

The People's Horse Railroad Company.—On February 26, 1877, the Common Council of the city of San José granted to the South-East-Side Horse Railroad Company, a franchise, for a narrow-gauge railroad, to Jacob Rich, C. G. Harrison, W. S. McMurtry, J. Y. McMillin, and S. W. Boring, the original stockholders and trustees of the association, the officers being: Jacob Rich, President; S. W. Boring, Secretary. Subsequently the same parties procured a franchise for a narrow-gauge road, taking for its initial point the center of Second and San Fernando streets, and running thence to Market and Santa Clara streets; on Santa Clara street to the Alameda road, and thence to the town of Santa Clara—Approved February 28, 1879. The South-East-Side Horse Railroad Company then deeded all its franchises to the new corporation named the People's Horse Railroad Company; the same Directorate being continued, and are now the officers.

North-Side Horse Railroad Company.—The Board of Supervisors of the County of Santa Clara and the Mayor and Common Council of the City of San José granted a franchise to the North-Side Horse Railroad Company in June, 1875, commencing at the intersection of St. John and First streets, and running thence to Fourteenth and Mission streets, in the north-east part of the city. The first President was Davis Devine, and Secretary, D. W. Harrington; those at present in office are: President, W. S. McMurtry; Secretary, J. Y. McMillin; Manager, C. G. Harrison.

Bay and Coast Telegraph Company.—This company was organized June 10, 1878, by A. E. Davis, Edward Barron, Daniel Cook, Joseph Clark, and Seth Cook, these gentlemen being the first Directors of the association; the present Directorate are: A. E. Davis, President; and Messrs. Barron, D. Cook, Clark, and Seth Cook. In the years 1878 to 1880, inclusive, there have been sent over the company's lines, on an average, twenty thousand messages, while their wires extend from San Francisco to Santa Cruz via San José, a branch running from the last-named city to Alameda Point, and terminating at Oakland.

MARKETS.—The city of San José boasts of two market buildings, than which there are no finer in the State. Before these were constructed by the enterprising gentlemen who built them, there was a desire for such buildings; on their completion, however, the demand would appear to have ceased, and the edifices remain almost only as ornaments to the city, and proof of the enterprise of the projectors.

City Market.—This handsome building, occupying a frontage on Market street of one hundred feet, and a depth of one hundred and twenty feet, was constructed in the year 1873 by Martin Murphy and Edward Auzeais, at a cost of thirty-five thousand dollars. The entire space of the ground

floor is open, and a portion occupied as an agricultural implement store, while the second story is divided into the City Market Hall, of one hundred feet square, and the necessary adjacent rooms.

Central Market.—In the year 1874, C. T. Ryland, Dr. Hugh Downer, and N. Hayes, constructed the fine market building, situated between San Fernando and Santa Clara streets, and running through from First to Second street, the first-named gentleman owning the end fronting on First street, and Messrs. Downer and Hayes that on Second street. The building is of elegant design, and cost nearly forty-five thousand dollars.

THEATERS, HALLS, ETC.—San José is the proud possessor of two of the most beautiful and well-appointed theaters in California, while there are several spacious halls, adapted to theatrical entertainments, public meetings, or dancing parties. Indeed, 'tis a pity to see such elegantly-fitted establishments left a prey to the corruption of moths and mildew, or the tender mercies of an occasional stray company, made up of a "star" of considerable magnitude, with attendant satellites pressed from among the more ambitious "supers" to be found hovering about the back-entrances of the San Francisco theaters.

San José Opera House.—Originally known as Brohaska's Opera House, this institution was opened on the evening of August 18, 1870. It is situated on Santa Clara, between Second and Third streets; is supplied with dress circle, parques, and gallery, four proscenium boxes and a seating capacity of ten hundred and twenty-four. The stage is thirty-eight by sixty-four feet; the stock of scenery is extensive; it is provided with all the necessary traps and other paraphernalia, while every precaution is taken to insure safety from fire. The play with which it opened was the well-known society comedy of "London Assurance," the famous actors, John T. Raymond and his wife (Miss M. E. Gordon), respectively appearing as Mark Meddle and Lady Gay Spanker. In the month of July, 1880, the entire building was renovated, profusely decorated, and opened by Samuel W. Piercy and his "Diplomacy" company. [Since writing the above this building along with several others has been burnt.]

California Theater.—When Messrs. Downer and Hayes erected their portion of the Central Market on Second street, they put an upper story into the building and converted it into the Central Hall, but finding that the want of a fire-proof theater, where enjoyment could be had inside of brick walls, at great expense they remodeled and renovated the former structure, and have succeeded in giving to the public one of the finest theaters on the Pacific coast. The following information has been kindly furnished to us by Charles R. Bacon, the courteous manager of the California: The architect

was J. A. Remer, who planned and built the Baldwin Theater, San Francisco; the stage was constructed by Steve Gulliver, the builder of that at the above place; the scenery was painted by Forrest Seabury, late of the California Theater and Grand Opera House, San Francisco; the seats, boxes, etc., were upholstered by Bennett & Co., San José; the painting by Jarman of San José; the frescoing of the entire house by Massman and Eibach of San Francisco; and the sunlight burner (which is eight feet in diameter), and all gas fixtures, by Nye & Co. of San Francisco. The California Electrical Works have erected one of their machines on the stage for lighting the gas by electricity, and every light in the house can be regulated by a first-class distributor, which is on the stage. There has also been placed in the building a telephone and district telegraph, which is at the disposal of the audience. The building has been furnished with four fire plugs in convenient places; there is a small lecture hall adjoining the theater with a seating capacity of three hundred and fifty; while street cars between San José and Santa Clara, also to the southern and western city limits pass the door. The list of stock and set scenery is complete; the size of the stage is thirty-eight by fifty-three feet; and the seating capacity nine hundred and fifty-eight. The entire cost of renovation was eighteen thousand dollars. The opening play was one performed by a company of amateurs of San José, but its true inauguration was by the splendid and favorite tragedian Lawrence Barrett, in the role of Hamlet. Mr. Bacon undertook the management May 1, 1880. The proprietors are Hayes & Downer.

Music Hall.—The fine structure known as the Music Hall Building situated on First street between St. John and Santa Clara streets, was built by a San Francisco gentleman named — Smith in the year 1870, who, two years later, disposed of it to the estate of S. J. Hensley, they continuing its owners until September 1, 1879, when it was purchased by C. H. Maddox. The building has a frontage on First street of one hundred and thirty-seven feet, and a depth of one hundred and ten feet. The large hall is ninety-three by seventy feet in dimensions; is finely frescoed on walls and ceilings and lit by a pendant gaselier of eighteen jets, besides thirty-two burners placed in brackets on the walls. The southern end of the room is provided with a convenient stage, fitted with scenery and attendant equipments, the whole being capable of accommodating from six to eight hundred persons. Contiguous to it is a smaller hall of thirty-three by sixty feet, suitable for dancing and public suppers, the entire suite making as convenient a place for public meetings as can be found in the country.

San José Water Company.—On November 26, 1866, Donald McKenzie and John Bonner of San José, and A. Chabot, of Oakland, Alameda county, with a capital stock of one hundred thousand dollars established the con-

cern now under notice. The city of San José and the town of Santa Clara granted the exclusive water privileges for the term of twenty-five years, while to carry out their plan tanks were constructed, engines built, and the city supplied with water from artesian wells. At the end of two years the volume of fluid thus obtained was found insufficient for the growing wants of the community, therefore the right to use the water of the Los Gatos creek was obtained, and a new company formed in 1868 with an increased capital of three hundred thousand dollars, the incorporators being Donald McKenzie, A. Chabot, N. H. A. Mason, C. X. Hobbs, E. McLaughlin; and the officers, N. H. A. Mason, President; D. McKenzie, Vice-President, William B. Rankin, Secretary; C. X. Hobbs, Superintendent; E. McLaughlin, Treasurer. On the assumption of responsibility by the new association their first work was the condemning of the waters of the Los Gatos creek and the bringing of the fluid from the mountains. A reservoir was constructed on that road, about four miles from San José in that year; another was made four miles farther on, and the necessary pipes laid, those first put into position in the city being on First and Santa Clara streets, with lateral pipes to the other thoroughfares. It has been mentioned in our history of Redwood township that the water is taken from the tail-race of the mill at Los Gatos. It was originally conducted therefrom by flumes, but now it finds its way through pipes to the proper receptacles, whence it is carried into the town. In case of emergency the company have pumping works situated near Santa Clara street, on the west bank of the Los Gatos creek, whence they are prepared to supply the public. In the year 1870 water was conveyed to the town of Santa Clara, thus making the total length of piping belonging to the corporation to be about fifty-six miles. Including both San José and Santa Clara the average daily run is estimated at nearly two million gallons; San José, Santa Clara and Los Gatos are supplied free of charge for fire purposes, as is also the county. Water rates for the city of San José and town of Santa Clara are fixed by them; those outside of the corporate limits are established by the Board of Supervisors. The present officers are, President, E. D. Williams; Superintendent, Return Roberts; Secretary, D. A. S. Eyster; Treasurer, E. McLaughlin; Directors, E. D. Williams, Josiah Belden J. A. Moultrie, W. H. Ware, Frank Bray.

Live-Oak Vineyard.—This enterprise was commenced by N. H. Stockman six miles south-west from San José. Here they have a cellar one hundred and eight by forty-four feet, and ten feet high, with concrete walls over which there is erected a two-story building. The cellar has a capacity of two hundred and seventy-five thousand gallons. They have also a still using direct heat, and two presses. This vineyard comprises seventy-nine acres all set to vines and the yearly production is from forty to fifty thousand gallons. Their depot and salesroom is at San José, on Santa Clara

street near Tenth, and their market is in San Francisco; however, this year they have opened a trade in New York City and have made one shipment to that place.

NEWSPAPERS.—*The Pioneer*.—This is a weekly journal, published in San José, by Alex. P. Murgotten, founder, publisher, and proprietor. As its head would indicate, it is devoted to the interests of the pioneers of California and the resources of the Golden State.

The manner of its founding and the reasons for its publication are about as follows: At the meeting of the Pioneer Society of Santa Clara County, held in 1876, it was voted that each member of the society should furnish a sketch of his life and pioneer history for preservation by the society. As these sketches began to accumulate Mr. Murgotten conceived the idea of starting a weekly paper, for the purpose of publishing them in such a form as they might be preserved for all time. And in addition to that make it a general pioneer paper, and also a local county organ at the same time. This suggestion was communicated to the Board of Directors of the society, and met their unanimous and hearty approval. On the eleventh day of January, 1877, the first number of the paper was issued. The novelty of the publication and the interesting matter published, soon caused the paper to receive a large circulation. The dull years came, however, and it with every other business had to take its share. But its publisher has held on with the tenacity of early times, hoping for a turn in the current for the better.

It has been the means of accumulating a vast amount of very valuable history and data concerning the early occupation and conquest of California that will be worth its weight in gold in future years, not only to the historian but to the general reader. The children and the children's children of the pioneers of California will read it in the far future with pleasure and profit.

We regret to say that the publisher informs us that the paper does not receive the encouragement it ought from the pioneers themselves. For they, of all others, should feel a deep interest in its publication, and should do all in their power to extend its circulation and usefulness.

To us, in the publication of our histories of the various counties in this State, it has been a decided aid, abounding in a vast amount of pioneer information, for which we are exceedingly grateful, and trust its prosperity in the future will be sufficient reward for its labors in the past.

The Daily Morning Times.—In the early part of the Summer of 1879, S. W. de Lacy, then city editor of the *Evening Herald*, impressed with the conviction that a fine field existed in San José for the publication of an independent morning journal, began a quiet canvass of the business portion of the city for the purpose of thoroughly satisfying himself upon this point. In

this enterprise he had for an associate and prospective partner, J. G. Murdoch, formerly foreman of the *Herald* office, and a printer of long experience and rare ability. But a few days' work convinced them that the prospects were exceedingly favorable for the success of the proposed undertaking. Accordingly Mr. de Lacy, having severed his connection with the *Herald*, set at work, in company with Mr. Murdoch, to make the required arrangements for the issue of the new paper. It made its appearance under the caption of the *Daily Morning Times* on the 15th of July, 1879, and was received with unmistakable marks of approval by the business men and public generally. Mr. F. B. Murdoch, a veteran in journalism, was engaged as editor and after the publication became one of the proprietors, together with Henry, brother of J. G. Murdoch. The firm name was the *Times Publishing Company*. On January 1, 1880, Mr. de Lacy became sole proprietor by purchasing the interests of his partners. The first month thereafter over three hundred names were added to the subscription list and upwards of two hundred during the second month. Since then the course of the *Times* has been onward and upward. It has been the aim of the editor and proprietor to make it, not only a live, spicy local paper, but one fearlessly independent, the organ of no ring, clique or faction, and the success that has attended its career has been equalled by no newspaper in the State, with the exception of the *San Francisco Chronicle* and the *Stockton Mail*. Unlike the majority of papers, it has never been afraid to express an opinion on any subject, local, State, national or general. It has always been the outspoken, fearless and inflexible champion of the right and the unswerving implacable enemy of wrong, in whatever shape or whatever guise. As the people's friend and advocate, it has gained a reputation that will be lasting. The *Times* has a large circulation outside of San José, and the list is increasing rapidly.

San José Mercury.—The *San José Telegraph* in 1860 merged into the *Telegraph and Mercury*, under the management of Wm. N. Slocum, who soon dropped the word *Telegraph* from the name and called the paper *The San José Mercury*. In the Spring of 1861 the paper passed under the management of J. J. Owen, who obtained a lease of the office from the owners. He subsequently purchased a controlling interest in the ownership, and took in a partner, B. H. Cottle, and the paper was published for about nine years under the firm name of Owen & Cottle. In the Fall of 1861 the *Daily Mercury* was first started. Its publication was continued for three months and suspended. In August, 1869, J. J. Conmy was added to the firm, a power-press was purchased, and the publication of the *Daily Mercury* resumed. It was continued for nine months and again suspended, the firm dissolving partnership, Cottle & Conmy taking the jobbing department of the office, and J. J. Owen the *Weekly Mercury*. The weekly was published until March, 1871, by J. J. Owen, when B. H. Cottle having dissolved part-

nership with Conmy, re-entered into partnership with J. J. Owen, bought out the *Daily Independent*, and changed its name to the *Daily Mercury*, since which time the daily has been regularly issued. In the Fall of 1873 Owen bought out Cottle's interest, and continued publication of the paper, under his own name, until August, 1878, when the *Mercury Printing and Publishing Company* was organized, of which he was chosen Superintendent, and is such at present.

The Daily Herald.—This paper is the outgrowth of the *Patriot*, of which we have spoken in the history of San José. In September, 1876, James T. Murphy purchased that publication from F. B. Murdoch and gave to it the name of the *Daily Herald*, the firm conducting it being known as the *Herald Publishing Company*. The daily and weekly were continued without change until September, 1878, when Mr. Murphy purchased the *Argus* from W. A. January, and established the *Herald-Argus*. On September 18, 1880, W. A. January acquired the paper from Mr. Murphy, and is now the proprietor, although the style of the firm is still maintained as the *Herald Publishing Company*. The Editor is J. F. Thompson; City Editor, A. C. Bane; Business Manager, D. W. Willer. It is a seven-column, eight-page publication, while its views are Democratic, an alteration that was consummated when it changed its name from the *Patriot* under Mr. Murphy's régime.



SANTA CLARA TOWNSHIP.

Geography.—Santa Clara township is bounded on the north by Alviso township, on the west by Fremont and Redwood townships, on the south by Redwood, Almaden, and San José townships, and on the east by San José and Alviso townships.

Topography.—The extent of this township has been much changed since it was originally surveyed, a large portion of Alviso having been added to it. It is chiefly comprised in level valley lands, composed of fertile soil, and park-like scenery.

Soil.—Like any other portion of the Santa Clara valley, the soil in this township is composed, in portions, of gravelly, red clayey soil, with rich adobe, which ever yields a crop of marvelous profusion and excellence.

Products.—The products of Santa Clara township do not vary from those of other parts of the county. Cereals, in every variety, fruits, vegetables, and tubers, all attain the highest perfection imaginable, while there is easy means of export by the Southern Pacific and South Pacific Coast Railroads, both of which companies have depots in the town of Santa Clara.

Timber.—Save the oaks, which add a beauty to the landscape, the willow copses and the eucalyptus trees, there is no timber of any moment in the township. What there is, being enough to supply the inhabitants with firewood.

Climate.—Nothing more can be said in praise of the climate of Santa Clara township than has been remarked in the other portions of the beautiful valley. Serene skies, genial warmth, pleasant Winters, make up the sum of its year's delights.

Early Settlement.—On the forty-seventh page of this work the reader will find a description of the first settlement in this township, viz.: the founding of the mission. This event and its concomitant circumstances are so much a part of the county's annals that we have entered into it as fully as may be in our remarks on the early history and settlement; while, the warlike scenes enacted in its neighborhood during the troublous times of 1846-7 have been given to the reader in our chapter under the caption of "The Mexican War."

Up to the year 1849, the Franciscan Friar, Padre Real, in charge of

the Santa Clara Mission Church, in addition to his clerical duties, claimed also to exercise control over the lands and other property adjacent to the Mission, notwithstanding the Act of Secularization which passed the Mexican Congress, in 1833, that by its terms segregated the temporalities from the spiritual affairs of the church, placing the former under the charge of a *mayordomo*, as agent of the government, leaving the priests to attend solely to the education and spiritual affairs of the flock, inasmuch as no grant or other title had been made by the Mexican Government to either the Church or the priest, of the lands or other property claimed.

While this question was being raised, a large number of American citizens commenced to arrive, and at once set to work to consider the situation. In public meeting assembled it was resolved by them, First, that the land belonged the United States; second, they determined to lay out a town in blocks of one hundred yards square, and that each head of a family should be entitled to a block on payment of ten dollars toward building a school-house, and four dollars additional towards defraying expenses of survey, etc.

Let us, however, ask the courteous reader to travel back a space with us while we attempt to make clear the preliminaries which lead up to this state of affairs.

We have already seen that the manner of colonizing California was in three distinct methods. The mission, the pueblo, and the presidio. The first was chiefly for the civilization of the Indians; the second for the settlement of the territory by the whites; and the last for the protection of both. The law of secularization now working smoothly, however, it was found necessary to change the plan heretofore in existence, therefore in 1840, *mayordomos* were appointed to the several missions, but in 1843, many of these, among them that of Santa Clara, were once more placed in charge of the priests. In 1845, the Departmental Assembly directed that some of the missions should be rented, and in April, 1846, Pio Pico had ordered that a few of them should be sold, an order which was later annulled by the assembly.

When the United States came in possession of California they found many disputes had arisen about the rights to various missions, among them that of Santa Clara. General Kearny directed that they should remain as he had found them, under the priests, who were to be responsible for their preservation and for the property while in their charge.

Father José Real, had received from General José Castro, certain documents purporting to authorize him to make sales of the Santa Clara Mission lands, dated respectively May 25, and June 16, 1846. Such authority was evidently communicated to Governor Mason, for we find him notifying Alcalde Weekes, under date November 25, 1847, in these words: "I have your letter of the 13th instant, and the one inclosed addressed to yourself

from Padre Real. I know not what are the privileges that his reverence enjoys, nor do I know to what 'competent judge' he refers, who alone can take 'judicial cognizance against him,' but it is very evident, that if his reverence depart from his calling as a Catholic priest, and enters into a bargain or contract with a citizen of the country, he places himself, and must necessarily stand upon the same footing with that citizen, and that citizen has the same recourse against the Padre for a breach of contract, as the Padre would have against him, or as one citizen has against another in similar cases."

On the 29th December, 1847, Father Real communicated the intent of these documents to Col. R. B. Mason, the then Governor of California, who, January 3, 1848, replied: "This document could certainly give you no authority to sell any part of the Mission lands after the 7th July, 1846, the day on which the United States flag was hoisted in California, if indeed it could legally have conferred such authority before. Since that date, the Mission lands can only be disposed of by virtue of authority from the United States Government. I am therefore obliged to declare, and do hereby declare all sales of any part of the Mission lands made by your reverence, to be illegal, null and void, and that the purchasers of such lands hold no legal title to them whatever, by virtue of any sale made by your reverence." This document was at the same time directed to be made public at Santa Clara.

The story of the claims on the Mission lands, the orchard and gardens, is thus told by Frederic Hall:—

"In 1847, some of the Americans were about to squat upon the Mission premises. General Kearny hearing of it, sent a detachment of soldiers under Captain (now General) Naglee, to put out the settlers and give possession to the priests. In 1849, or first part of 1850, Antonio M. Osio, of Monterey, went into possession of the orchard, under title emanating from the authority of General Castro, in 1846. Osio rented it out to a Frenchman for three years, who remained in possession until about November, 1850. He was much annoyed by the early settlers, and finding that it would be a profitless labor to attend to it, abandoned the lease. The doors, gates, and other improvements which he had placed thereon, he removed. Osio was then in Monterey, but Father Real was acting as his agent. The latter observing the place to be in a state of waste, and hearing that some of the settlers were preparing to squat on it, called upon Mr. Charles Clayton, then Alcalde at Santa Clara, and solicited that he should place some reliable man in possession until Osio should arrive from Monterey; observing at the same time that, whoever should thus take charge, should have a lease from Osio upon reasonable terms. With that understanding, Joel Clayton went into possession, and began to make improvements. Upon the arrival of Osio, Mr. Clayton was informed that a man in San Francisco had rented the

premises, and had paid a portion of the rent in advance; that, in consequence thereof, he (Clayton) could not obtain a lease, and that he must surrender possession. This he refused to do, unless he was first reimbursed for the expenditure he had made. Osio, declining to pay the damages, Clayton remained in possession. Under a judgment which had existed against the Mission, the orchard had been sold by the Sheriff, and James F. Reed and others claimed the orchard by virtue of that sale. Joel Clayton obtained a lease under the Reed title. Osio then commenced suit for possession; but before the trial came off, Charles Clayton, John H. Watson, James M. Jones, and Joshua W. Redman purchased a title to the orchard made under a sale by Pio Pico, as Governor, in 1846, to Benito Dias, Juan Castañada, and Larias Anellnas. Charles Clayton, Redman and others, brought suit for possession against Joel Clayton. He disclaimed any right to the premises, and a writ of restitution was issued, placing plaintiffs in possession. Osio instituted suit against the plaintiffs and defendant, charging collusion. The suit was tried at San José, and Osio obtained judgment. James M. Jones, being at the time of the trial at the Sandwich Islands, soon thereafter returned; and, appearing in Court, moved for a new trial upon the ground of surprise, which motion was granted. Upon motion and affidavits, a change of venue was had, and the cause ordered to Santa Cruz to be tried; but Osio having abandoned the suit, it was dismissed. Redman and Clayton continued in possession, reaping the benefit of the orchard, which at that time was very great, as fruit was scarce and consequently high in price.

"After the Jesuits took the place of the order of San Franciscans, Father Nobili was stationed at Santa Clara Mission. He instituted suit against Redman and Clayton for possession of the orchard. The case was tried in Alameda county, early in 1855. After plaintiff closed his case, on motion of defendant's counsel, a nonsuit was granted. Plaintiff appealed to the Supreme Court, and there the judgment of the Court below was affirmed.

"In the meantime, Bishop Alemany had filed his petition before the Land Commissioners, praying for a confirmation of all the Mission property in the State, as the property of the Roman Catholic Church. His claim was finally confirmed, and the land embraced therein patented. Then, R. A. Redman, as administrator of his father's estate, and Charles Clayton, compromised with Bishop Alemany; the two former giving a quit-claim to the latter of their right to the orchard, and the latter giving Redman and Clayton a lease of the property for six years, at the rate of one thousand dollars per annum.

"Judge Felch, of the California Board of Land Commissioners, in delivering the opinion of the Board, in the case of the Bishop, states clearly the theory of the Missionary colonization, as follows: 'The Missions were intended, from the beginning, to be temporary in their character. It was

contemplated that in ten years from their first foundation they should cease. It was supposed that within that period of time the Indians would be sufficiently instructed in Christianity, and the arts of civilized life, to assume the position and character of citizens; that these Mission settlements would then become pueblos; and that the Mission churches would then become parish churches, organized like the other establishments of an ecclesiastical character in other portions of the nation where no Missions had ever existed. The whole missionary establishment was widely different from the ordinary ecclesiastical organization of the nation. In it the superintendence and charge was committed to priests, who were devoted to the special work of Missions, and not to the ordinary clergy. The monks of the College of San Fernando and Zacatecas, in whose charge they were, were to be succeeded by the secular clergy of the national church, the missionary field was to become a *diocese*; the President of the Missions to give place to a *bishop*; the Mission churches to become *curacies*; and the faithful in the vicinity of each parish to become the parish worshippers."

We have thus far shown the theory and manner of conducting the Missions; that the great body of land used and possessed by them belonged to the nation; and that the Missions proper, such as buildings, gardens, and orchards have been confirmed to, and are now in the possession of the Roman Catholic Church, under the charge of the Bishop.

In a conversation we had with the three oldest residents now living in Santa Clara, viz.: Joseph Lard, Dr. H. H. Warburton, and William N. Fosgate, the following information was gleaned: On their arrival the only buildings in the place were those belonging to the Mission and the smaller ones where dwelt the Indian converts. The Mission church is described as a plain adobe structure of from forty to fifty feet frontage and two hundred and fifty in depth, roofed with tiles, and surmounted with a tower seventy-five feet in height, standing to the south front and containing a chime of bells. The front was ornamented with rude paintings of biblical scenes, and somewhat dilapidated, while its interior arrangements were much the same as they now are. In the year 1864, owing to the decay of the walls, the front was incased with wood, and a new roof of shingles put on, while in 1878 the remaining walls were likewise incased. This, however, is not the original Mission church. That edifice stood near where the railroad depots now stand, but in 1846, when Mr. Lard with his parents arrived, there was naught remaining of it but a heap of ruins. The original cross, however, was found and removed. It now stands in front of the present building, incased with wood, and bears on its western front the words: "I. H. S. He that shall preserve to the end shall be saved. Mission founded 1777."

In November, 1846, the foreigners and nearly all the Californians lived inside the Mission, and were amenable to Spanish law. There were then

here, says Joseph Lard, the Harland family, Van Gorden, Sam. Young, Tabor, Allen, Jones, Dickenson, and Bennett, and their families, while it is supposed that the first American to locate was William Chard.

In 1848, to the south of, and next to the church there resided the priest in charge of the Mission, Father Real, indeed the walls of the building where the entrance to the college now is are the original ones erected. Further south lived James Alexander Forbes, Vice-Consul for Great Britain. These houses were on what is now known as Helvetia street. On the east side of the present Alviso street stood a row of adobe buildings; of these there are still remaining the houses then occupied by the Bojorquez and Peña families; while north of the brewery we still find the remains of the Bennett place.

In 1847 and 1848 there were permanently settled in Santa Clara, other than Californians, J. Alex. Forbes and family, Jonathan and Charles Parr, William Booth and family, Fielding Lard and family, Riley Moultrie and family, Caleb Rand and wife, George W. Bellamy and family, Dr. Warburton, — Bazard, William McCutchan, who dwelt where Goldbach's saloon now stands; Robert Scott, who kept a store where the Cracker Factory now is; William Haun, Washington Moody, John Whisman, William Campbell, William Chard, Thomas Hudson, James Linns and family, Anson Angel, and others whose names are not now remembered. The only other store was kept by a Frenchman on the corner of what now is Alviso and Franklin streets, while the Bellamy House was the only house of entertainment. The first frame building in the place was constructed in the year 1847 for Father Real, and stood at the present south-west corner of Alviso and Santa Clara streets—the extreme angle of the Mission property of to-day. The lumber for this house was sawed with a whip-saw by Fielding Lard, and brought from the Puig's redwoods in San Mateo county. About the same time, or immediately after, like structures were erected by Lard, Scott, and Haun; there are only remaining of these, the premises known as the Widney Block.

In the Fall of 1850, a building, which stood to the west of the Mission church, on Liberty street, and long known as the "little brick school-house," was erected by subscription as a place of worship for the use of all denominations without distinction, but it was not until 1852-3 that the first regular church was built, and then by the Methodist Episcopal Body. In this same year the Female Seminary was constructed to the west of Main street, between Liberty and Lexington streets.

West of the church mentioned above stood the Mission corral, and inclosed a tract of land six acres in extent. Its adobe walls were from ten to twelve feet high, and four feet thick, while the space was partitioned off into divisions for horses, cattle, sheep, swine, etc. Some of the adobe bricks were afterwards utilized in the building of the church.



D. G. Brewer



Though the year 1848 had left the little town deserted, in 1849 many new faces were to be seen, and in 1850 Peleg Rush imported twenty-three houses from Boston, erected them in different parts of the village, one being opened as a hotel, and soon found occupants for them. Naturally this move added greatly to its appearance. In this year the Union Hotel was built by Captain Auser, and first occupied by Appleton & Ainslie.

In concluding the early history of Santa Clara let us reproduce the impressions of a visitor in 1850:—

In the Spring of 1850, the town site had been surveyed out into lots of one hundred yards square, and each citizen had taken a lot with the understanding that he was to improve it by building a house on it, or fencing it in; if that was not done within three months, the lot could be taken by another. Santa Clara was a quiet place, undisturbed by the excitements incident to other localities in California. The inhabitants were mostly engaged in building houses, or otherwise improving their lots, or playing billiards, or gambling, or in looking on at others in these occupations.

The Spanish language was in use about as much as English, and there were comparatively few persons who knew both languages. Now, all who were children of Spanish descent, and some of American, can speak both languages. There was another tongue, which, if it is not now, soon will be a dead language, as dead as that of Eliot's Bible, the guttural sound of which was often heard. The Indians were more numerous than at present. They had rancherias in what is now Mr. Trenouth's place, Martin Murphy's ranch, near Alviso, and other places. They busied themselves after the manner of the noble red man of to-day, walking about picking up all the spoiled provisions, offal or cast-off clothing they could find in the street.

The Alameda at that time was in all its glory. One would not see the stately mansions and trim cottages, the shrubbery and flowers, and green lawns of the present day, but the rows of willows and cottonwoods stretched with unbroken ranks from the Mission to the pueblo. The land was moister than now, trees seemed to grow more luxuriantly, and the road-master, if there was such an official in those days, was not possessed of a pruning devil. One could pass over the whole length of the Alameda and often not meet a single person. Traveling was mostly done on horseback; sometimes in farm wagons that had made the journey across the plains. Buggies or spring wagons were rarely seen. The stage running between San José and San Francisco, passed through the place each way, daily, fare sixteen dollars. I should not omit to mention a style of carriage that we saw at times on the road. This was the *careta*, with its solid wooden wheels, creaking loudly, drawn by a pair of oxen, with the yoke lashed to their horns with thongs of raw-hide, the driver on horseback, and an improvised top or cover beneath which might be seen the gay-colored silk dresses of the occupants, which

contrasted so oddly with the rudeness of the vehicle. This was the turnout of some neighboring ranchero on a visit to the pueblo with his family. These folks have since sold their lands and bought carriages. One can but deplore the fate of these simple-hearted, hospitable people, forced to retire before the advance of a more enterprising race. The days before the discovery of gold must seem to them to be the golden age of California.

It will be remembered that the Summer and Autumn of 1850 were noted for the prevalence of the cholera in California. But I have heard of no deaths, from this disease, among the Americans in Santa Clara; there were a few fatal cases in the Spanish population. A service was held in the church to ward off the cholera. Life and property were considered pretty secure in the comparative absence of officers of the law. I should except, however, property in the shape of horses. These were frequently stolen; a band of horse-thieves appeared to be operating in this vicinity. The following year I happened to be in the street in San Francisco, when George Stuart was led out by the Vigilance Committee and hanged, and I thought I recognized in him a man I had seen in Santa Clara; I was not certain of it, for, as our Ex-Congressman would put it, "I had not the honor of his acquaintance."

There was no Protestant Church building, or organized church in town, but the Rev. Billy Higgins used to preach occasionally. The Catholic Priest was called Padre Real. I heard him highly spoken of as one who did much for the amusement of his people. I have heard that he since went to Mexico and was killed there.

The 12th of August, being the feast-day of the Patron Saint of the Mission, it was celebrated in great style. Under the superintendence of the priest, a portion of the plaza, adjoining the church, was inclosed by a strong fence, and seats for the ladies were put up under the projecting roof of a house that now forms part of the college buildings, and a series of bull-fights was inaugurated. One of the ladies "assisted" literally in the spectacle. She got over the fence, walked into the middle of the corral and waved a red shawl. When the bull, which was walking about, apparently meditating some plan to get even with his tormentors, caught sight of the bright color, he made a rush for her, then a man stepped in between and succeeded in diverting his attention, and the lady withdrew amid great applause. In the evening there were balls at several houses. These festivities were kept up for two or three days. Nowadays, I am told, Santa Clara's day is allowed to pass by without any notice being taken of it.

In September the election took place, and, previously, the several candidates visited Santa Clara and made speeches, soliciting the votes of its citizens. The Democrats held a convention in San José, and nominated a ticket. The opposing ticket was composed of gentlemen who nominated themselves. The latter was successful. George B. Tingley, Thomas Bodley, and A. C.

Campbell were elected to the Legislature. Those three gentlemen, then in manhood's early prime, are now all dead. Of the foreigners residing in Santa Clara in 1850, and now living, I remember Mr. Forbes, the historian of California, Dr. Warburton and Charley Parr, Charles Clayton, who kept the principal store at the place where Habich & Company keep now, A. Madan, Wm. Fosgate, Moses Davis, and O. G. McLeran, who were working at the carpenter's trade, Miss Otterson, Hiram Shartzler and G. W. Moody. Martin Murphy, James Enright and Judge Senter were living in the vicinity on the farms they now occupy. Captain Ham was running a boat on the bay between San Francisco and Alviso. These are the names of all I recall just now. When I reflect on the number who have "joined the innumerable caravan," then it is brought home to my mind, more than any other time, that 1850 was not a few years ago.

Santa Clara College.—Santa Clara College is situated in the town of Santa Clara, which is justly celebrated for the beauty of its surrounding scenery, and the mildness and salubrity of its climate. The Southern Pacific and the South Pacific Coast railroads pass through the town.

The old Mission church stands near the entrance of the college. It is one hundred and ninety-eight feet long and forty-four feet wide, and is used as the parish church. Its front is of modern architecture, but the interior has been preserved very nearly in its primitive state, with "Indian frescoes," and old Mexican wooden carvings. On the square in front of the church rises the original wooden cross, thirty-two feet high, which was erected by the Indians at the first settlement of the Mission.

The entrance to the college is through a three-story building of one hundred and ninety-eight by forty feet, which has a central fourth story, and contains a suite of seven parlors, the residence of the Faculty, the branch library of the Professors, the Training and Normal School of the society, and the pastor's office. The entrance hall opens on an interior garden of two hundred by one hundred and thirty-five feet, surrounded by long verandas and crossed by arbors of grape-vines, among which grow exotic plants and flowers, fig, lemon, and orange trees, and very large palm trees. A fish-pond and *jet-d'eau* ornament the center. In the adjoining vineyard are seen olive trees planted in the year 1805, and a rotunda containing a life-sized statue of St. Joseph.

The college is conducted by the Fathers of the Society of Jesus. They are the successors of the Franciscan Fathers, the pioneers of civilization on this coast, who, as early as 1777, founded the Mission of Santa Clara, and labored zealously to elevate the moral character, and develop the material prosperity of the inhabitants. On the 19th of March, 1851, Santa Clara College was established in the old Mission buildings for the purpose of affording to all who might desire it, the means of obtaining a liberal and Christian educa-

tion. On the 28th of April, 1855, it was chartered with all the rights and privileges of a university. Since that period the career of Santa Clara College has been one of success. Her sons are to-day of honor and use to their State, in law, in medicine, in music, and in business. Several of her graduates have held seats in the Houses of the Legislature. Her position to day is that of the first educational establishment on the Pacific coast. Her staff of professors and tutors numbers twenty-six. She has two professors of chemistry, who daily use a completely furnished laboratory; a professor of physics, who has at his command the largest cabinet of apparatus possessed by any college in the United States; telegraphy is taught with the aid of four instruments at different stations in the different houses, which stand upon ten acres of ground. Photography is taught in a building erected exclusively for the purpose, and fully supplied with apparatus. Five professors of music give opportunity of making acquaintance with every musical instrument of the day. Mathematics are taught from arithmetic to calculus. A professor of English literature lectures five times a week. Greek and Latin classics employ five teachers; and the modern languages are taught each by a native of the tongue in which he instructs. The religious ceremonies are the Catholic, but students of any denomination are received, and trouble has never been experienced from the usage. Students are not allowed to board without the college precincts. An excellent table is set at refectory commons, and there are two common dormitories besides the chambers for the seniors. Thus with most complete and appropriate accommodation in every department, and a full staff of professors, this institution presents uncommon advantages for the moral, mental and physical training of young men and boys.

The scholastic year consists of but one session. It commences at the beginning of August and ends at the beginning of June, with a public exhibition—either literary or scientific—followed by the conferring of Degrees and the distribution of premiums.

A. B. The degree of Bachelor of Arts is conferred upon those only, who on completing the studies of Logic and Metaphysics, Solid Geometry, Trigonometry, Conic Sections and Surveying, Elementary Chemistry, and the treatises of the first year of Natural Philosophy, are found, after due examination, sufficiently qualified. To become a candidate for the degree of A. B., a satisfactory examination is previously required in English Rhetoric and the Latin and Greek Classics.

A. M. The degree of Master of Arts is conferred on those who, having received the degree of A. B., shall have passed a satisfactory examination in Moral Philosophy, Analytical Geometry and Calculus, Organic and Analytical Chemistry, and the treatises of the second year of Natural Philosophy.

S. B. and S. M. The conditions for obtaining the degrees of Bachelor, and Master of Science are the same as for the degrees of A. B. and A. M., respectively, with the exception of Latin and Greek.

A certificate is given to those students who, after having completed the studies of Grammar, Arithmetic, Orthography, Elementary Sciences, Penmanship, theoretical and practical Book-keeping, shall have passed a satisfactory examination.

Faculty and Officers—Rev. A. Brunengo, S. J., President and Prefect of Studies; Rev. Jos. Caredda, S. J., Vice-President and Prefect of Classes; Rev. E. M. Nattini, S. J., Secretary, Professor of English, Orthography, Telegraphy and Shorthand; Rev. G. Mengarini, S. J., Treasurer; Rev. V. Testa, S. J., Assistant Treasurer and Professor of French; Rev. Leggio, S. J., Chaplain; Rev. A. Tardella, S. J., Professor of Mental and Moral Philosophy, Latin and Greek; Rev. A. Cichi, S. J., Professor of Natural Philosophy, Chemistry, Mineralogy, etc; Rev. E. J. Young, S. J., Professor of Rhetoric, English Literature and Arithmetic; Rev. P. Mans, S. J., Professor of Poetry, Mathematics, German and Book-keeping; Rev. A. Goetz, S. J., Professor of Spanish; Mr. J. Egloffstein, S. J., Professor of Mathematics, German, Latin and Greek; Mr. J. Ricard, S. J., Professor of Mathematics and French; Mr. J. F. Collins, S. J., Professor of English Grammar, Arithmetic, Orthography and Book-keeping; Mr. V. Kiappa, S. J., Professor of Latin, Greek and Italian; Mr. A. Coltelli, S. J., Professor of Latin and Greek; Mr. E. Allen, S. J., Professor of English Grammar, Arithmetic and Orthography; Mr. A. Saufrignon, S. M., Professor of Elementary Sciences, Arithmetic and Book-keeping, Director of the Practical Commercial Department; Mr. J. A. Waddell, Professor in the Preparatory Department; Mr. B. Tortore, S. J., Professor of Drawing; Mr. J. R. Lawrie, Professor of Piano; Mr. J. Manning, Professor of Violin; Mr. M. S. Ylisaliturri, Professor of Brass Instruments; Mr. L. Fernandez, Professor of Penmanship; Dr. H. H. Warburton, Attending Physician; Mr. J. Boggio, S. J., Infirmarian.

Graduates of Santa Clara College, from 1857 to 1880:—

A. B. 1857, Thos. Bergin; 1858, J. M. Burnett; 1859, A. Splivalo; 1860, G. Keane; 1861, R. Prevost; 1862, M. Delmas; 1864, W. C. Kennedy, S. Inge; 1866, S. Ayon; 1869, W. B. Murphy; 1870, C. Wilcox; 1871, Jas. Campbell, J. T. Malone; 1872, M. J. Walsh; 1874, W. P. Veuve; 1875, W. T. Gray, T. F. Morrison; 1876, R. Soto, Jas. T. Walsh; 1878, Jas. F. Smith, E. W. McNally, Chas. W. Quilty; 1879, R. B. Brenham.

A. M. 1859, J. M. Burnett; 1860, A. Splivalo; 1863, M. Delmas; 1865, Thos. Bergin; 1867, S. Ayon; 1871, Chas. Wilcox; 1872, Jas. Campbell, J. T. Malone; 1873, M. J. Walsh; 1878, E. W. McNally, Jas. F. Smith.

S. B. 1859, A. Burnett; 1862, B. D. Murphy, R. Keating, Jas. Breen;

1864, D. Nealon; 1865, F. C. Aguilar; 1867, L. Sage, Jos. Wiley; 1868, G. O. Sedgley, W. B. Murphy, A. Schweib; 1870, Palmer Seamans; 1871, Jas. Campbell, S. M. White; 1872, J. M. Chrétien, A. F. Saufrignon; J. C. Johnson, D. G. Sullivan, M. J. Wash, M. Wilson, Jos. McQuade; 1873, A. O. Arguello, J. L. Carrigan, F. McCusker, R. Del Valle; 1874, A. L. Veuve, H. B. Peyton, W. S. Hereford, J. Burling, L. M. Pinard; 1875, N. F. Brisac, Chas. Ebner; 1876, J. Hudner, B. Brisac, Jas. Hermann, Jos. A. Machado; 1877, Robt. Brenham, W. S. Davis, J. S. Franklin, L. J. Harrison, V. S. McClatchy, Ed. W. McNally, Orestes J. Oreña, L. T. J. Palmer, Jno. W. Ryland, Jas. F. Smith, Geo. A. Young; 1878, Homer Spencer, F. A. Harrison, Jos. Cavagnaro, Dan. Thornton, Wm. Killip, Jno. L. Foster; 1879, Chas. R. Barry, F. H. McNally, D. J. Mahoney, Geo. W. Seifert, John E. Auzeais.

S. M. 1879, A. F. Saufrignon, Jas. E. Enright, J. F. Cavagnaro.

Nobili Medal—1876, Jas. Franklin; 1877, Jas. W. Enright; 1878, Jos. Cavagnaro; 1879, Anselmo Volio.

Commercial Certificate—1878, Frank Galindo, Chas. Hagan, Jno. E. Auzeais, Didier Gagnon; 1879, Jas. I. Santon, Jas. W. Enright, Martin F. Hauck, Frank Drum, Henry Farmer.

Santa Clara Feed Mill.—Where this establishment stands their originally was a grist mill, the property of Ernest Kramer, which was burned about three years ago (1878). Near its site was constructed the present mill. It is of brick, covers an area of sixty by forty-nine feet and is owned by August Habich, but rented to F. E. Farmer. It was built in 1879, and has a daily capacity of ten tons.

Pacific Manufacturing Company.—Situated at the corner of Bellamy and Union avenues, in the town of Santa Clara. It was originally known as the Enterprise Mill and Lumber Company, but was re-organized September 1, 1880, as above. It is a joint-stock concern, James P. Pierce being the President; T. J. Shannon, Superintendent; and Directors, J. P. Pierce, T. J. Shannon, M. Nelson, John Finley, Jesse Nelson, Wm. H. Brown. The business carried on is chiefly the manufacture of coffins and lumber of every description, to the value of about seventy-five thousand dollars per annum. The premises consist of a building three hundred feet long by sixty wide, two stories high; two hundred feet of this is of brick, and the balance frame. The establishment is supplied with all the requisite machinery driven by a fifty horse-power engine. As a coffin emporium this is one of the most complete in the United States. The officers for the year are the same as above.

Santa Clara Tannery.—This enterprise was originally started in 1849, where the present establishment stands by L. Wampach, and was, with the single exception of one started by G. W. Bellamy, originally constructed in

a very primitive fashion, among the first in the State. He conducted it until 1854, when it was bought by Messing & Dixon. F. C. Frank was then admitted a partner; shortly after Dixon sold out to Mr. Glein, when it was conducted by Messing, Glein & Frank, and ultimately passed into the hands of Glein alone. In 1860 the firm became Glein & Albert who were the proprietors until 1864, when it reverted to Glein until 1866, and then was purchased by its present owner, Jacob Eberhard. The capacity has been increased ten-fold in his occupancy; when he took charge there were not half a dozen men at work; to-day there are upwards of sixty. The premises are built on a block and a half of land and consist of beam house, curing room, etc., with one hundred and twenty vats. A sale is found for the very superior leather here manufactured all over the United States, Mexico, Sandwich Islands, China and Japan. The tannery is fitted with new machinery and driven by a fifty horse-power engine. The business done aggregates about twenty-five thousand dollars per month.

Santa Clara City Flouring Mills.—Were first started as a joint-stock company under the name of the Santa Clara Flouring Mills in the Fall of 1852, under the management of Charles Clayton, he being also Treasurer, and Samuel J. Johnson, Secretary. It was thus continued for about twelve months when it was sold to a new company, which was organized out of the former one. Afterwards the mills got into the hands of Charles Clayton alone; and was finally sold to French & Baker in 1879. Subsequently it was acquired by Madan & Pitkins, who, in 1880, disposed of it to the company that are its present owners. The President is C. A. Pitkins; — Baker, Superintendent. The corporation has a capital stock of twenty-five thousand dollars.

Santa Clara Brewery.—Is situated at the corner of Benton and Alviso streets in the town of Santa Clara, and was built in 1863 by Herman Leibe. He conducted it until his death when it passed into the hands of his widow, and in 1878, it was purchased by Charles Lauck, who has conducted it ever since. It occupies about a block of land, while the premises consist of a brewery, malt room, etc. The average out-turn is in the vicinity of two thousand barrels a year.

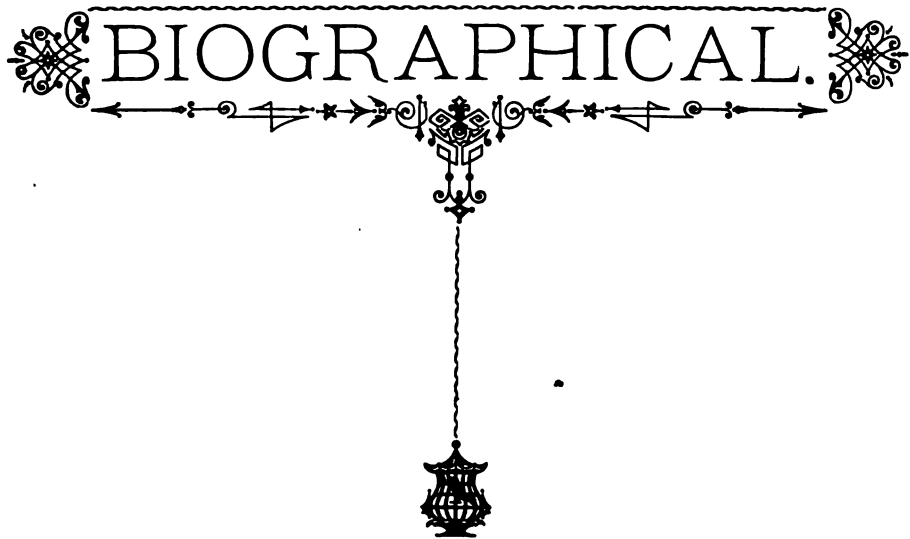
The Davies Machine Shop.—Proprietor, E. H. Davies. This business was established in 1855 on Main street, near Benton, where it remained fourteen years. In the Fall of 1867, the present premises were erected at the corner of Jackson and Liberty streets. The building is three stories in height and forty by sixty-six feet in dimensions. Here is carried on a considerable repairing and manufacturing business, principally agricultural machinery. Mr. Davies is just starting the manufacturing of lumber from ornamental trees, such as the locust, eucalyptus, etc.

The Bank of Santa Clara County.—Is situated on Franklin street, near Washington, and was incorporated May 30, 1875, with an authorized capital of three hundred thousand dollars. The present officers are: J. P. Pierce, President; H. M. Leonard, Vice-President and Manager; C. C. Hayward, Cashier and Secretary.

Santa Clara Verein.—Was established in April, 1868, with the following Charter Members: C. W. Werner, F. C. Franck, Jacob Eberhard, C. Leibe, John Hetty, August Habich, Leopold Hart, William Gabriel, August Gabriel, Henry Albert, Henry Uhrbroock. The first officers were: Jacob Eberhard, President; C. Leibe, Vice-President; A. Habich, Secretary; C. W. Werner, Treasurer. The membership at present is forty-five. Their hall, a neat structure, is frescoed and tastefully ornamented, and is sixty by thirty-four feet, with a commodious stage at one end. The present officers are: August Habich, President; H. Metzler, Vice-President; C. W. Werner, Secretary; Julius Brieth, Treasurer; Librarian, W. Klein; Steward, Franz Emig; Trustees, Jacob Eberhard, John Hetty, Charles Welti. The Club is divided into a Turn-Verein for gymnastic exercises, as well as for dramatic and musical affairs. The building was entirely built by private subscription of its members.

"Meridian."—This neat little wayside resort was first established in the year 1872, by a man named Shirley, who was succeeded by another named Sullivan. In 1879, he sold it to B. C. Shartzler, who at present conducts it. The wayfarer will find this neat place replete with every convenience for the accommodation of man and horse, while the pedestrian can take it in his daily walk, it being but two miles and a half from the town of Santa Clara.







ALMADEN TOWNSHIP.

Boanerges R. Bailey. Born in Robertson county, Tennessee, May 4, 1827, where he was educated, reared a farmer, and resided for the first twenty-one years of his life when he started for California. The journey was commenced with a mule-team, but this he left before reaching Salt Lake, making the balance of the journey with oxen. In the month of September, 1850, he arrived in Nevada county, and passed that Winter at the Rough and Ready mines, having fair success; in the Spring he moved to Poorman's creek on the South Yuba and at the end of six months set out on a prospecting tour. After visiting Sonora and Vallicita, in Tuolumne and Calaveras counties, he came to Santa Clara county and settled at Mountain View, on the farm now owned by his brother, D. B. Bailey. In 1857 he proceeded to Tulare county, where he was engaged in stock-raising until 1864, when he settled in Almaden township on his present ranch of eight hundred and seventy-three acres. Married at Mountain View, in 1855, Ellen Sparks, by whom he has had a family of nine children. Two of these are dead, those living are: Frederick, born December 19, 1858, in Tulare county; Nannie, born April 30, 1861, in Tulare county; Stonewall, born, September 5, 1863, in Tulare county; Lulu, born December 23, 1868, in Santa Clara county; James and Wesley (twins), born September 17, 1871, in Santa Clara county; Bowling, born May 26, 1875, in Santa Clara county.

Lewis C. Casey. Born in Holmes county, Ohio, April 1, 1816, and there was educated. When four-and-twenty years of age he transferred his residence to Lee county, Iowa, where he engaged in farming for ten years; thence he crossed the plains with ox-teams to California, arriving in November, 1849. The first year Mr. Casey mined at Long's Bar on Feather river, Butte county; then he removed to Sacramento City where he was variously employed for three months; he next went down the Sacramento river to Walnut Grove and farmed for two years, when, exchanging his ranch for a cargo of wood, he proceeded to San Francisco to find a market, it was disposed of as it was landed; in a short time enough was realized to purchase the eighty-five acre farm on which he now resides in Almaden township. Is unmarried.

Thomas Fitzgerald. Born in Canada, February 2, 1839. In 1853 he came to California, and direct to Santa Clara county, first settling near

Gilroy. Not long after he went to the redwoods near there, where he remained seven years. Afterwards he located at the Fifteen-mile House, Burnett township, and in 1866 returned to Gilroy. In 1870 he entered upon his residence in Almaden township where he owns eight hundred and eighty-five acres of land, has a dairying business and milks about thirty cows. Married at Gilroy, in 1872, Mary Ann Cullen, by whom he has three children: Walter G., born August 30, 1873; John P., born April 18, 1875; Ellen, born June 3, 1879.

John Jeffries (*Deceased*). Was born in London, England, January 1, 1814; served seven years at the trade of dyeing; in the year 1835 emigrated to the United States; worked at his trade in New York one year, but finding very poor pay joined a party of stone-cutters engaged to build the locks on the canal at Fort Wayne, Indiana, but after enduring fever and ague, and swindling contractors for nearly a year, pulled up stakes and next found himself in Louisiana, in the employment of United States Surveyors. This he soon left. He then went to Natchez, Mississippi. Here he carried on the manufacture of cigars in partnership with Mr. Bryant for about five years. The great tornado in that place destroyed his place of business, burying him under the ruins, from which he barely escaped with his life. He then went to Boston, Massachusetts. Stayed one year, but not liking the cold weather, went to Florida, where he was variously employed till 1846, when he left for St. Louis, Missouri. He there started business at his old trade of dyeing; continued at that till early in 1849, and then left for California, crossing the plains with ox-teams, and arrived at Santa Clara in the rainy season; tried gardening on the Stockton ranch in partnership with a Mr. Dickson, since deceased; was with Charles Clayton in a store for a short time; started a farm near where the town of Saratoga now stands, where he was doing pretty well till driven of by the stock-men. He then came to the farm now owned by his brother, James Jeffries, containing one hundred and nineteen acres. John Jeffries died November 21, 1880.

James Jeffries. The subject of this sketch, brother of the above John Jeffries, is also a native of London, England, where he was born January 29, 1810. In 1835 he came to the United States; was engaged in the wholesale hardware store of G. W. Tyson & Co., of Pearl street, New York; after the great fire went to Apalachicola, Florida, with a stock of goods; remained nearly a year and returned to New York. From there he went to Boston, Massachusetts; was engaged in the business of property-making for the several theaters there till 1872, then joined his brother in Almaden township, Santa Clara county, where he has since resided. Married, December 24, 1832, E. Massham, of Kent, England, who died March 20, 1860; has one daughter, born in 1836, now living in Massachusetts.

Major Lewis F. Parker. Was born in Highland county, Ohio, March 20, 1824. When young he was taken by his parents to Indiana, whence, after a short residence, they moved to Fulton county, Illinois, where he lived until he attained the age of sixteen years. He then proceeded to Hendricks county, Indiana, and there received his education. Major Parker next moved to LaPorte county, and there resided until he started for California. September 1, 1850, he arrived in the Golden State, after having crossed the plains with pack-mules, and went to Georgetown, El Dorado county, where he remained but a short time; thence he removed to Horse-shoe Bend, on the middle fork of the American river, and commenced mining. These operations he continued for a year, when he transferred his location to Spanish Flat, in the same county, where he mined and kept a boarding-house until 1856. In this year he arrived in Santa Clara county, came direct to Almaden township, and settled on the ranch of three hundred and twenty acres, which he now occupies, where he has a picturesquely situated and commodious residence, nestling at the mouth of a miniature cañon in the western foothills. Mr. Lewis has served for eight years as Deputy Assessor, under D. M. Harwood and W. O. Barker. January 28, 1865, was appointed Captain of Company K, First Cavalry, Second Brigade, California Militia, and served as such until November 1, 1867; when he was promoted to be junior Major of his Regiment, with rank from that date. He married in LaPorte county, Indiana, December 23, 1847, Julia Keith, who came to California in 1852, and has an only child, Elizabeth Nancy, born October 19, 1853.

Charles Parr. Born in England, May 5, 1827. Emigrating to the United States as long ago as the year 1842, the first Winter he passed in St. Louis, Missouri, where death deprived him of his mother. In the following Spring he took up his abode in Lee county, Iowa, and there engaged in farming until 1846, in which year he started to cross the plains to the Pacific slope, with a company of forty-one wagons, his father Joe Parr and family, Jonathan Parr and family, now deceased, (whose portrait will be found in this work,) and a family named Booth, relatives of our subject, who now live in Victoria, B. C. All went well until the Platte river, in the Pawnee country, was reached, save that there was an occasional stampede of their cattle, in one of which one hundred and twenty-five head were lost. In trying to recover the stock in one of these a man named Tremble lost his life, while his partner, Harris, was recaptured, after he had been stripped of his clothing and was about to receive his death-blow from the Indians. This was done by the Pawnee tribe. The murdered man left a widow and seven children. After the delay of a day, necessitated by the circumstance above related, the journey was continued, while those who had lost a larger portion than others, of their cattle, retraced their steps to

Missouri. When Fort Laramie was reached the party moving westward were notified by the Sioux Indians that they could not be permitted to travel through their territory unless some substantial compensation was forthcoming, which they received, and the party were allowed to continue their advance. When Sweet Water was reached, the company suddenly found themselves surrounded by a force of some seven hundred redskins, therefore they collected their wagons and prepared for action. For a time affairs had a very gloomy appearance. The Indians were bold and rough, in many instances pushing their way through to the wagons, where remained in trembling fear the women and children. The Chief of the Tribe, Smoky, was, however, notified of the doings of his warriors, he therefore rode in among them, scattering them right and left, and called upon them to desist. To receive a command from such a source was to obey. The Indians departed, while the emigrants were permitted to proceed. Mr. Parr thinks that had it not been for the timely interference of the Chief, there would have been a bloody tragedy enacted at the place called Sweet Water. Before Fort Hall had been reached the party was divided, one portion proceeding to Oregon, the other to California. It is with those last named that we have to deal. Trials now commenced to accumulate. Ere Bear river had been come to the provisions gave out, and much suffering ensued; nor were the necessities of life obtained in anything like abundance until the hospitalities of Sutter's Fort were opened to them. Here they obtained bread, and encamped on the American river, about two miles from the fort. Leaving the banks of that stream they made their way to Livermore, Contra Costa county, when our subject left his family, and came to the town of Santa Clara, where he was joined in the Spring of 1847 by his relatives—all, save his father, who had died at Livermore, from the unskillful treatment of a broken leg. Mr. Parr was first employed by James Alexander Forbes; and for Dennis Marten, worked in the redwoods, while in the Spring of 1847 he went to Bear river, and witnessed the remains of the Donner party. Here he joined the party that went up the American river to procure lumber to construct the now historically famous "Sutter's Mill." At the end of three months he proceeded to San Francisco; thence he found his way back to Santa Clara. In 1848 he was employed in the New Almaden Quicksilver mines. In the latter part of that year he made a journey to the Mokelumne river, and Calaveras and Tuolumne counties, where he engaged in mining, an occupation he continued at intervals for the two succeeding years, and finally returned to this county. On his return he opened a public house in Santa Clara, in partnership with Dr. Warburton, for one year; he then built a like establishment, which he conducted for six months, when he engaged in blacksmithing. In 1854 he embarked in stock-raising on the Coast Range, which he abandoned in the following year on account

of ill-health; then, returning to Santa Clara, he there resided until 1862, in the Fall of which year he removed to the stock-raising farm he now occupies, which comprises twelve hundred acres, his own property. Married, April, 1854, T. Garcia. The following are his children by this union: Joseph E., born 1855; Prudence, born 1858; Teresa, born 1860; Simpson N., born 1862; Charles, born 1863; Belle, born 1864; Stephen A., born 1867; Agnes, born 1869; Eugene, born 1870; Mary, born 1872.

Zadoc A. Riggs. Born in Boone county, Missouri, March 10, 1826, where he received his education and worked on a farm until 1850. In that year, on May 1st, in company with thirteen others, he started across the plains with ox-teams for California, arriving at Nevada City September 12th. of the same year. Remaining there only a short time, he went to Deer creek and followed mining until February 1851; he then proceeded to the Cosumne river and mined there till November, 1852, when he came to Almaden township, Santa Clara county, and purchased his present farm of one hundred and sixty acres. Married, March 10, 1864, Phebe Cairns, by whom there have been a family of five children, three having died when infants. The names and births of those now living are: William A., born December 5, 1864; Zadoc S., born March 10, 1874.

Christoph Schofield. Born in Hanover, Germany, December 13, 1831. In 1854 he emigrated to the United States and first found a home near Milwaukee, Wisconsin. He remained in that State about one year, then went South and was variously employed in Louisiana until 1856. In that year he made the journey to California by way of Panama, arriving in San Francisco in May. Ashore in San Francisco without a cent in his pocket and in debt to a fellow-passenger for a part of his fare, he did what most new-comers in those days did, started for the mines in Nevada county, but unlike most others soon returned to the valley and sought work among the farmers. In October of that year he began work on the farm of Jerry Parsons, near the mouth of Bear river, and remained in his employ almost uninterruptedly for about twelve years. Having suffered much from the malarious chills and fevers of that locality he went back to Germany in 1865 intending to remain there, but after an absence of ten months returned to Mr. Parson's ranch in improved health and fully determined to give up his allegiance to the German king and become an American citizen. In 1868 he was married in San Francisco to Miss M. Parsons and moved to the Santa Clara valley. During that year he purchased the farm in Almaden Township where he now resides, which has been the home of himself and wife since the time of their marriage.

François Tremoureaux. Born in Saint-Nazaire, France, July 12 1840. At the age of nine years he left home and followed the sea until he came to California in 1859, and has naturally seen a great deal of the world. In the last-named year he came to Santa Clara county, and after working for wages on a farm was employed in a store in San José. In 1861-2 he was engaged in the charcoal business, as well as other matters, until 1865, when he purchased his present mountain farm of nine hundred acres, adapted for stock-raising. Married, December 11, 1871, Arabella Grant, May, 1878, by whom there are: François M., born December 29, 1872; Leonard J., born March 6, 1874. Married, secondly, September 22, 1878, Mrs. Emma Webster, and has: Albert C., born June 9, 1880; Bertha A. Webster, born January 28, 1878; a daughter by a former marriage.

William H. Ware. The subject of this sketch was born in Salem, Salem county, New Jersey, November 22, 1822, where he was educated. In early life, Mr. Ware devoted his time to teaching school, at the age of twenty years receiving his certificate from Messrs Ray, Picket, and McGuffe, Professors of Woodford High School, and State Examining Committee of Ohio. He gave instruction consecutively in Delhi township, Hamilton county, Ohio; in different parts of Missouri; in Jefferson county, Indiana; in Shelby county, Kentucky; and in the State of Mississippi, where he had a two years' course of legal study. As he was about to enter upon the practice of his profession, the discovery of gold in California was proclaimed to the world. To be behindhand in the search for the precious metal was to sleep. Mr. Ware therefore joined a mule train, dubbed the Pioneer line, belonging to Turner, Allen & Co., and left Independence, Missouri, April 10, 1849. He continued with this party until they reached Carson river; here anticipation proved too much for him, he therefore pushed on ahead, alone, but, meeting a predatory band of Indians, his horse (a valuable animal that had carried Colonel Price through the Mexican campaign) was stolen, being considerably delayed thereby, and ultimately arrived at Weavertown, El Dorado county, September 27, 1849. After a rest here of two weeks, he proceeded to San Francisco, and there, with three others, formed a company to proceed to the San José Mission and commence the cultivation of vegetables, on a large scale. This company made a good start for their destination, in a whale-boat laden with provisions and seed, but they had not proceeded far when a dispute arose in regard to their common affairs (they having ignored all existing agreements). Our subject thereupon severed his connection with the enterprise. Mr. Ware next made for the mines at Beal's Bar, north fork American river, Placer county. A few months later he went to Big Gulch Bar, where he started a trading-post, being, at the same time owner of a mine. Here he remained until

the Fall of 1851, when he sold out, and proceeded to Amador county, at a place called Arkansas Cabins. Here he and two others named Smith and Drummond, constructed a ditch three miles long. At this place he remained eight months, when he came to San José, and in April, 1852, in company with William Rogers, opened the Mansion House, and conducted it until the following July. In that month he located the place on which he now resides, placed a man in charge, and left to dispose of his mining interests near Cook's Bar, El Dorado county. These he sold out, returned to Santa Clara county in the month of February, 1853, and took up his residence on his property in Almaden township, where he has resided ever since.

Edward Young. Born in Dorsetshire, England, July 22, 1834. In the year 1856 he emigrated to Australia, where he mined until 1867, in which year he returned to the "Old Country." After a short stay, he came to California, and arrived in Santa Clara county in the Fall of 1868. He first went to Almaden township, and commenced getting out timber from the redwoods for use in the mines, at which employment he continued eleven years. In 1878, he came on to the place where he now resides, consisting of one hundred and nine acres of land. Married, in San Francisco, June 21, 1870, Sarah Shepherd, a native of England, and has five children: Harriet, born April 21, 1872; Maria, born January 17, 1874; Charles G., born August 12, 1875; Henry, born September 28, 1876; Nancy, born February 19, 1881.



ALVISO TOWNSHIP.

Thatcher Ferris Barnes. Born in Cayuga county, New York, April 17, 1828, where he dwelt for the first twenty-four years of his life. At that age he crossed the plains to California, arriving at Oroville, Butte county, September 1, 1852. He at once proceeded to Marysville, Yuba county, where, disposing of his oxen, he left for Sacramento, and thence to Willow Spring mines, where he remained for a year. Mr. Barnes next went to Monterey county and located on a piece of land which proved to be private, and not Government property, he therefore transferred his residence, and coming to Santa Clara county, rented a portion of the Alviso estate which he farmed for some time, then moved on to his present place where he has resided for the past eighteen years. Farms two hundred and fifty acres. Mr. Barnes was Captain of the Alviso Rifles until they were disbanded in 1866. He married May 29, 1852, Mary Van Wie, a native of New York, by whom he has two daughters.

John Gregg Briggs. Born in Arkansas. December 3, 1858, and came with his parents to California in 1861. On arrival the family proceeded to Marysville, where they resided until 1873, when J. W. Briggs, the father of our subject, purchased the property on which they now reside. This, one of the finest orchards in Santa Clara county, contains about ten thousand fruit trees in all, there being some three thousand pear, two thousand plum, fourteen hundred cherry, fifteen hundred apple, seven hundred peach, and the balance apricot trees. No pains has been spared by J. G. Briggs, who manages for his father, in conducting this orchard, while he includes in his cultivation the rarest varieties of blackberries, raspberries and strawberries. There are altogether one hundred and twenty acres on the farm, twenty of which are devoted to pasturage, and the remainder to fruit-culture.

Robert Hutchinson. This worthy pioneer and prominent citizen of Alviso township was born in Windsor, Kennebec county, Maine, March 6, 1812, and is the eldest son of Robert and Ruth Hutchinson. At twenty-one years of age he had not received sufficient of an education to allow him to transact the most ordinary business, but by close application and diligent attendance at the Winter schools, besides careful research in

private, as well as a three month's term at the Vassalborough Academy, he found he had absorbed enough knowledge to permit of his embarking in the tuition of a common school in the year 1837. After that he followed the art of teaching as a profession, having taught as many as twelve schools in eight Winters, contriving to compass this by being present at two schools during some of the seasons. In 1840 he was appointed by John Fairfield, Governor of the State of Maine, Justice of the Peace and Quorum, the jurisdiction of the former office then extending over the entire county, positions he occupied for seven years. About this time he was elected one of the Board of Superintending School Committees, whose duty was the examination of teachers and visitation of schools; he was also elected one of the Board of Selectmen and Assessors of his native town, which office he held until his removal to Cherryfield, Washington county, in 1844. In the year 1843 was the Democratic candidate for Representative to the Maine Legislature, but was defeated by the Whig nominee, the town having a large majority of that party. On arriving at Cherryfield he joined his father and brother in the lumber business, and there continued until 1849. In that year Mr. Hutchinson took an active part in the formation of an association having for its object a voyage to California. It was styled the Sacramento Navigation and Mining Company, and was organized for two years. The association comprised forty-eight members who each owned one share of five hundred dollars. With the capital thus raised the brand-new bark *Belgrade*, then lying on the stocks at Cherryfield, was purchased; she was loaded with provisions enough for a two-year's voyage; a number of houses already framed were put aboard, and a quantity of loose lumber. The steamboat *Fashion* was bought from Hinkley & Egery of Bangor, taken to pieces, and with her machinery placed in the bark. Mr. Hutchinson was chosen Secretary of the company and so continued until its dissolution. On November 27, 1849, the subject of our sketch sailed for the already far-famed Dorado, having received on taking leave of his native town, the following testimonial, couched in honest language, which he holds to-day in much esteem: "The bearer, Robert Hutchinson, Esq., is a gentleman whom we have known from his boyhood and we can most cheerfully recommend him as a man of strictly honest principles, correct moral habits and in every way worthy of implicit confidence. He is also well qualified by his learning, talent and tact, for the transaction of any common business. Windsor, November 12, 1844. (Signed) Asa Heath, Town Clerk of Windsor; Wm. Hilton, Justice of the Peace and Quorum; A. S. Coombs, Wm. Perkins, Selectmen of Windsor." Having touched at Rio de Janeiro and admired its renowned harbor; at Juan Fernandez, and pondered over the solitude of De Foe's hero; and having rounded "The Horn" with its inhospitable coast and tempestuous winds, he arrived in San Francisco bay, May 27, 1850, precisely six months from the date of

sailing. Here one of the houses brought out in pieces was erected in the Rincon Point Cove; the steamboat was landed, its keel relaid and in two months completed, when the company was dissolved. The property was disposed of to a new association for the sum of forty thousand dollars, and divided into forty shares of one thousand dollars each, though any member of the original company was given his choice, either to receive cash or a share in the new corporation. Mr. Hutchinson elected to take the latter, and received the position of steward on the little boat he had brought out, at one hundred and fifty dollars per month wages. On the 1st of August the first start for Sacramento was made. When getting as far as Benicia it was found necessary to put back to San Francisco, the top of the fire-box having burned away. After six weeks consumed in repairing she was put upon the Stockton route to take the place of the *Sagamore* which had lately been blown up. After Mr. Hutchinson had been running on this line for two months a combination was formed between the steamboats *Fashion* and *Governor Dana* to take the freight and passengers of the *New World* and *Senator* from Sacramento to Marysville. On her initial voyage on this mission the *Fashion* was "snagged," but reached her destination after undergoing certain temporary repairs. On the return voyage she ran aground at Hock Farm, where the subject of our memoir was discharged. Thence he took passage in the *Hartford* for San Francisco, where he landed at midnight. He had gone but a few yards along Long wharf when he was attracted by the cry of "Fire!" he wheeled around in time to see the flames burst from the steamer *Santa Clara*, which lay alongside the boat from which he had just landed. The flames were with little delay communicated to the *Hartford*, which, although not sharing the disaster of her ill-fated sister was all destroyed but the hull. At the end of two months the *Fashion* arrived at San Francisco and Mr. Hutchinson joined her as cook, but before she had left the port he took his discharge and became one of an expedition to proceed to the Klamath river where it was reported gold had been discovered. Taking a share in the schooner *General Lane* with six others the voyage up the coast was commenced, but with what result Mr. Hutchinson's diary will best explain: He tells us that the voyage commenced with strong head winds which had so increased that they were out two weeks, and out-of-sight of land; they were obliged to lay too, but after three days the wind chopped round in such a manner that the vessel would not lay with her head to the sea, in this position the rollers swept over her, and finally shipping one larger than the rest, it stove in one side of her cabin, swept across the deck carrying with it the bulwarks and stanchions, stove up the whale-boat into splinters, knocked the vessel on her beam-ends, shifted the cargo, and otherwise did much damage. That night the pumps were kept constantly at work. In the morning it was found that had the craft been put

on the other tack than that on which she was, nothing could have saved her from sinking, and her passengers and crew from a watery grave. She drifted towards San Francisco, where Mr. Hutchinson arrived on or about May 20, 1851. After remaining here a few days he left for Alviso, Santa Clara county, where he arrived May 27, 1851, thus completing his first twelve months in California. On gaining that town he formed a partnership with A. J. Wilson in a grocery store, a boarding-house and a freighting business, they having a vessel plying between that point and San Francisco. At the end of six months the schooner *William A. Tarlton* was purchased and J. A. Morgan admitted to a share in the business, but Mr. Wilson dying in 1853, the partnership was dissolved, and the affairs transacted by Mr. Hutchinson alone. In June, 1854, he started to pay his native State a visit, there he was married in the town of Addison, September 4th, and in November, accompanied by his bride, commenced the return voyage to California, arriving at Alviso on the 11th December same year. He then engaged in the storage and lumber business. In 1856 he joined the Republican party; in the following year was a Republican delegate to the State Convention held at Sacramento that nominated Judge Stanley, a North Carolinian, for Governor. In this year, in the month of November, he embarked in agricultural pursuits, which he gave up at the end of two years, and returned to Alviso and once more engaged in the lumber business, and storing and shipping hay, occupations he followed until the Spring of 1869, when, letting his warehouses and hay-barns he moved to San José and entered upon the charge of the lumber yard of Chase & Conley. At the end of one year they stopped this manufacture. Mr. Hutchinson therefore returned to Alviso, and re-entered upon his original business, which he still continues. He served as a Justice of the Peace for Alviso township, excepting during the times of his absence, from 1852 till 1869; besides this he was appointed by an Act of the Legislature, a Trustee of the town of Alviso, to sell town lots, the proceeds of which were to be paid to the School Trustees for school purposes in the town. His colleague was Col. A. B. Rowley. Mr. Hutchinson at the age of twenty-one cast his first political vote for Andrew Jackson, being convinced that he was right on the "bank question," while at an early age he became impressed with the importance of speaking the truth, knowing that "lies, like chickens, were bound to come home to roost." Through a long life he has treasured up many good and wise sayings, legends and maxims, among them being: "Error is unstable and seldom the same. She builds her lofty structures upon a sandy foundation—upon the applause of beings every moment liable to change. But Truth is certain, eternal, and built upon a rock are the towers of her habitation. She looks to Him only for applause who is the same yesterday and forever."—*Dr. Robertson's Lectures.*

John Karr. Was born in County Longford, Ireland, October 22, 1837. When four months old he was brought to the United States by his parents and lived in New York until he was fourteen years of age when he started for California March 17, 1852, in the steamer *Pioneer*, through the Straits of Magellan. This vessel was run ashore to save the lives of passengers and crew in Saint Simeon bay on the coast of California, the passengers and crew being taken off by the steamships *Sea Bird* and *Orleans* which brought them into San Francisco harbor August 21, 1852. Mr. Karr went first to the mines in Sonora, thence to Angel's camp and in October came to the Santa Clara valley. Here he was differently employed for the best part of two years, when he once more launched out to the mines and finally brought up on the White river, Kern county. Remaining in this locality but a brief period he came to Alviso where he obtained, in the first instance, employment in the mill, and afterwards entered the store of R. Carr. He next made a six months' trip to the Eastern States; came back to Alviso for one year, then went for eighteen months to the mines in the State of Nevada, and ultimately returned to Alviso and was engaged as foreman in the warehouses of one of which he now has charge. This enterprising gentleman besides owning the only store in the village, is a Justice of the Peace and School Trustee. Married, at San José, October 9, 1859, Margaret Borden, and has one child, John M., born May 20, 1862.

John Jacob Ortley. Was born in New York City September 14, 1827, and there resided until he attained the age of eighteen years. Having acquired the trade of sailmaker he shipped on the bark *Rosina*, June 26, 1845, and made a voyage to South America, being afterwards employed on the *Don Juan* a brig engaged in the slave trade. Remaining in this craft but a short time, he once more shipped in the *Rosina* where he remained three years and a half, then made one trip in the ship *Union* to New Orleans as A. B., and two more as Second Mate. He then came to California in the ship *Caroline Reed*, and became connected with different vessels on the coast, while he was for many years one of the proprietors of the Union line of packets plying between Alviso and San Francisco. Mr. Ortley is the owner of certain warehouses in the township, while in the town he has a comfortable dwelling-house and thirty-four lots. Has been a School Trustee for ten years. Married, at Alviso, December 24, 1858, Aloysia Wade by whom he has ten living children, viz., Lydia A., Julia D., Lucy W., Mary L., John J., Aloysia L., Emily E., Oliver J., William B., Hattie R.

Thomas Pogue. Born in Wilmington, New Castle county, Delaware, March 22, 1816. When eighteen years of age, he shipped on board the whaling vessel *Japan*, at Nantucket, for a voyage to the Pacific ocean, and

after remaining in her ten months, then went on the brig *Malta*, at Bay of Islands, New Zealand, and eight months after, at Boston, signed articles at Lynn, to go on a voyage in the whaling bark *Atlas*. Between Desolation Island and St. Paul's Island he was shipwrecked, but making his way to the Isle of France (now Mauritius) he was put on board the ship *Java*, Captain Smith, by the Consul for the United States, and in her returned to New Bedford, and went home and stayed for one year. He then shipped on the *Sirius*, at Wilmington, Delaware, for a whaling voyage to the South Pacific, which lasted forty-five months, with very poor success. He next made a voyage and return, between Boston and Liverpool, in the ship *Monterey*, Captain Dunbar, and finally returned to his home in Delaware. The Mexican war breaking out about this time, our subject shipped on the United States frigate *Potomac*, Commander Allanc, and served through that campaign, afloat and ashore, under Generals Taylor, Scott and Patterson. At the close of hostilities he returned to the Atlantic coast and joined the brig *Silas Marner*, Captain Long, on a voyage to the Mediterranean ports and back to Baltimore; he then shipped on board the brig *Consort*, bound to California, where he arrived in February, 1850. He at once proceeded to Stockton, and from there to the mines in Tuolumne county, but soon returned to San Francisco; thence he went to Butte county, but returned again to the city shortly after, when he engaged in steamboating on the Stockton route, on the steamer *Weber*. In 1853 he came to Alviso, where he had charge of the flouring mills for some twenty years, as engineer. Since then he built and conducted the Alviso Hotel, which he now owns, as also a small farm not far from that town. Married, in San Francisco, February, 1860, Elizabeth Smith, and has one child living:—Mary K. C., born May 13, 1864.

Thomas Scott.—Born in Chester county, Pennsylvania, August 19, 1836, where he received his education and resided until the year 1860, when he removed to the State of Maryland and there farmed for six years. For a like number of years he lived in LaFayette county, Missouri, when he came to California, and, in 1872, located on a tract of land about two miles from San José. This farm, which contained one hundred acres, Mr. Scott purchased in connection with his brother-in-law, Mr. Cowan, two years after when it became known as the Cowan & Scott Ranch. Besides this property, which is in San José township, these gentlemen rent the Mayvern Farm, of one hundred and forty-four acres, in Alviso township, and three hundred and forty acres of the Lick Farm, now owned by A. Pfister & Co., of San José. On the latter two farms grain and vegetables are grown to great perfection. During the season 1879–80, three thousand chests, of a hundred pounds each, of berries, were exported from the Cowan & Scott Ranch, while it is expected that next season four thousand chests of blackberries alone will

be shipped to different parts of the country, and the different canneries with which Scott & Cowan have large contracts. Mr. Scott now owns fifty acres of land in Santa Clara township, bought of A. D. Remington, of the James Lick Paper Mill Tract, which is now very promising, being only one year old, with every prospect of making a very profitable fruit farm. Mr. Scott married, in Cecil county, Maryland, March 1, 1860, Mary J. Taylor, of Wilmington, Delaware, who died September 6, 1871. By this union there are two children: Leonora, born September 16, 1861; and Lewis J., born June 16, 1863.



BURNETT TOWNSHIP.

John H. Ballard. Born in Sterling, Cayuga county, New York, November 16, 1829, where he was educated and resided until he came of age when he removed to the State of Wisconsin. Here he went into the lumber trade, afterwards piloted on the river until 1851, and eventually returned to New York. On January 1, 1852, he sailed for California *via* the Isthmus, and arrived in San Francisco in the following month. He almost immediately started for the mines at Pine Grove, Sierra county; at the end of two years he embarked in farming on the Pala grant near San José; in 1864 he came to Burnett township, and now resides about one mile from the "Eighteen-mile House," where he owns three hundred and eighty-five acres of land. Married, at Martinez, Contra Costa county, California, May 27, 1864, Rachel Blanchard, by whom he has four children, viz.: Sherman E., born March 19, 1865; John H., born, April 4, 1868; Maude, born October 20, 1872; Mabel, born May 27, 1876.

Charles Blanch. Born in Gloucestershire, England, February 20, 1831, where he was educated and reared a farmer. In the year 1851, he emigrated to the United States, settled in Iowa, and farmed there for three years when he moved to Minnesota and resided there for five years, being still engaged in a like pursuit, but was about cleaned out two years in succession by grasshoppers. He then crossed the plains with ox-teams to California, came direct to Santa Clara county, and arrived in San José in the Fall of the year 1859. After a residence of two years in that city he embarked in farming about ten miles from town, where he lived until 1868; then proceeded to San Luis Obispo county, and commenced a dairying business, but was attended with disastrous luck, all his cattle having sickened and died. Mr. Blanch now returned to this valley and farmed for twelve months, when he made a journey to Oregon and remained there one Winter, returning in the following Spring to Santa Clara county. He now settled on the place known as White Oak Flat, Burnett township, and at the expiration of four years settled on the place where he now resides in Hoover valley, where he owns one hundred and sixty acres. Married, in St. Paul, Minnesota, April 27, 1859, Maria Watkins, a native of England, by whom he has seven children living: William T., born October 9, 1863; John W., born December 19, 1865; Mary E., born January 5, 1868; Charles E., born December

7, 1869; Sarah M., born March 8, 1873; Robert, born March 27, 1875; Charlotte, born February 17, 1879; Edmund H., born February 8, 1860, died May 22, 1860; Jessie A., born June 2, 1861, died September 21, 1866; Richard, born October 14, 1877, died October 17, 1877.

Daniel G. Brewer. Whose portrait appears in this work, was born at Middletown, Delaware county, New York, April 25, 1825. When five years old he accompanied his parents to Stockbridge, Madison county, and at the age of thirteen launched into the world on his own account. Having worked on a farm until October 8, 1850, he left New York for Charlestown, South Carolina, for the benefit of his health, and afterwards visited the celebrated Coco Springs, Aiken, South Carolina; Savannah, Georgia; Jacksonville, Florida; Enterprise, Indian river; at which place he remained two years, employing his time principally in hunting, and for six months carried the United States mail from Dunlawton to Fort Capron, one hundred and fifty-two miles, a difficult trip and made in a sail-boat. In 1855 he returned to New York, and on October 5th sailed from that city, and arrived in San Francisco on the 29th of October of that year. Soon after his arrival he passed a month in Angel's Camp and vicinity; thence returning to San Francisco by way of Sacramento. Here he worked at the carpenter's trade until January 23, 1856, when he engaged with H. C. Hudson in his Mustard and Spice Mills. While in this employ he came to Santa Clara county, but his health continuing weak he visited several places along the coast and finally returned to San Francisco. Having formed a company to proceed to the Frazer river, July 4, 1858, he sailed in the clipper ship *E. F. Willets*, Captain Holmes, commander, and on arriving was elected Captain of the expedition. After enduring many hardships the company was disbanded at Yale, where the subject of our sketch remained, and afterwards commenced mining with a rocker. In October he returned to San Francisco; thence came to Alviso and Milpitas, where, with V. W. VanVie, he rented land, put in a crop, but this proving a failure, he leased one hundred acres of land on the Alviso tract, which he farmed until 1866, when he purchased the farm on which he now resides in Burnett township from Cyprino Fisher; here he has lately built a fine residence. Mr. Brewer was a member of the Vigilante Committee in San Francisco, being one of Captain McDonald's company. Mr. Brewer is very much pleased with the climate of Florida, as he sought that country in quest of health, being greatly reduced in strength and emaciated from the effects of weak lungs, having suffered a great deal from hemorrhage. He so thoroughly recovered that since his return he has enjoyed perfect health, and has no feeling of the oppression that is so common with sufferers of the dread disease—consumption. "Health is happiness." When he visited Florida his weight was one hundred and twenty-five pounds and his former weight one hundred and seventy-five pounds, average.

Edward Carling. Born in England, July 29, 1829, and was educated there. In 1852 he emigrated to Australia, where he engaged in mining for twenty years, one-half of the time being passed in New Zealand. He was successful, but like most miners, he lost the greater portion of his earnings in speculation. He then came to California arriving at San Francisco, March, 1872, and immediately proceeded to Santa Clara county. After nine months passed in San José he purchased land in the Las Animas grant, on San Felipe creek, where he is now engaged in farming and stock-raising. Married, February, 1863, Ellen Springelt, a native of England.

Captain William Fisher (*Deceased*). This old pioneer was born in Boston, Massachusetts, in the year 1813. At the age of twelve years he left home and shipped on board a vessel for three years, hoping to benefit his health which had been delicate. At the end of three years he returned to his native State, but soon after sailed for Upper California. Not long after he proceeded to Lower California where he built a small vessel, and in company with Captain Hanks, made the trip to Mazatlan, on which voyage she was wrecked. He lived for many years in Lower California, and about 1845 came to this country and bought the Rancho Laguna Seca, comprising four square leagues. He then brought his family up to this valley, where they arrived in the month of April, 1846. He now stocked his property with horses and cattle, at the same time conducting a mercantile business in San José, the latter of which he disposed of, on account of ill health, in 1849, to Josiah Belden, who was his clerk at the time, and retired to his ranch to manage its affairs. He was not one of those who went to the mines at the time of that great excitement. Captain Fisher in all his intercourse with the emigrant proved himself an invaluable friend, while his name is indelibly connected with the early history of San José in which chapter his name will be found linked with many a good and noteworthy action. He died April 5, 1850. Married, in 1834, Señorita Liberata Cesaña, a native of Lower California by whom he had a family consisting of Mary C., now Mrs. D. Murphy; Thomas M.; Cyprino William (*deceased*); Uloga Frico.

Thomas Fisher. Born in Mexico October 29, 1842. His father, William Fisher, a native of Massachusetts, when quite young went to Mexico, and coming to California in 1846 with his family settled in Burnett township, Santa Clara county, in the Spring of that year. Here the subject of our sketch received his education, and has since resided, owning about seven hundred and eighty acres of land. Married, November, 1861, Anna, daughter of Captain Hanks, a fellow-voyager from Mexico, by whom he has living: Isabel, born February 13, 1864; Fanny, born April 3, 1868; Thomas, born May 4, 1870; Daniel, born February 18, 1872; Charles, born May 29, 1874; Everett, born October 11, 1878.

o the Pacific coast by way of Panama, he came direct to Santa Clara county, and settled on a farm near San José. In 1869 he left that district and came to the place on which he now resides, in Burnett township, near the Eighteen-mile House, where he owns one hundred and twelve acres of land. Married Mary Foye, and has one child, William H.

John C. Kirby. Is a native of County Waterford, Ireland. In the year 1850 he sailed in the bark *Rosanna*, for Panama, and there resided one year, when he sailed for California, in the steamship *Washington*. During the voyage, a gentleman, noticing the modesty of our subject, offered to educate him. On their arrival in San Francisco, July 12, 1851, he attached himself to his benefactor, and with him remained four years. On the expiration of that term Mr. Kirby started on his own account. After mining in El Dorado and Nevada counties, he came to Santa Clara valley, in September, 1855, and engaged with Dan. Murphly, for whom he worked about four years. After this, was variously employed until he had accumulated sufficient money with which to purchase a home. This he found on the two hundred and eleven acres where he now resides, consisting of fine, well improved land. Married, October 3, 1865, Catherine Keenan, by whom he has seven children: Mollie, born August 6, 1866; Susan, born February 25, 1868; Patrick H., born November 10, 1870; Nellie, born February 2, 1872; Timothy, born April 12, 1874; Maggie, born June 5, 1876; John, born March 7, 1879.

Clinton Munson, M. D. Was born in Cape Girardeau county, Missouri, August 10, 1846, and there resided until he attained the age of sixteen years, when he moved to St. Louis, and entered the Missouri Medical College (Allopathic school), whence he graduated in 1867. Doctor Munson now commenced the practice of his profession, which, continuing for but a short time, he entered the Homeopathic Medical School at Chicago, and graduated therefrom in 1869. In June of that year he came to California, and after practising for eighteen months in Oakland, Alameda county, he settled in Gilroy, Santa Clara county, where he followed his profession, until failing health compelled him to relinquish the discharge of these duties. In the year 1876 he embarked in sheep-raising, but not finding this to his mind he returned to Oakland in September, 1878, resumed his practice, and there remained until June, 1879, when health again failing him he became interested in the Madrone Mineral Springs, where he now resides. An account of this resort will be found on page 40 of this work. Dr. Munson married, January 20, 1873, Abbie M. Dyer, a native of Maine, by whom he has Gertrude Marion, born January 15, 1874, and Herrick Clinton, born December 12, 1880.

Jehial M. Owen. Born in Hinesburgh, Chittenden county, Vermont, January 30, 1830, and there dwelt until he grew to man's estate, being reared a farmer. On December 1, 1851, he started for California, via the Isthmus of Panama, and arrived in San Francisco January 10, 1852. Soon after he proceeded to Sacramento; thence to the mines on the Yuba, near Goodyear Bar; he afterwards engaged as Clerk in Whitcomb's store, and then returned to Sacramento, where he worked on a farm. In May, 1853, he came to Santa Clara county and township, and was employed in hauling lumber from the redwoods—the first business undertaken on his own account since his arrival in the State. A year later he located in Gilroy township, and was there engaged in the like occupation for the Bodfish Mills. In 1856 he embarked in dairying in Gilroy, which he continued until 1864, when he came to his present ranch in Burnett township, where he resides, near Coyote station. The farm consists of three hundred acres. Married, May 6, 1866, Emma Cift, a native of Cincinnati, Ohio, and has: George N., Allen B., William H.

Jacob Scheller. Born in Homburg, Bavaria, October 22, 1836, and was there educated to the blacksmith's trade. He then served one year in the army, and afterwards worked at his calling until 1863, when he came to the United States, arriving in San Francisco March 9th of that year. In less than a week he located on the place where he now resides in Packwood valley, on the Weber Rancho, for which he is agent. In 1875 Mr. S. revisited his friends in Germany. On his return he twice narrowly escaped death. He, at first, planned to return on the *Deutschland*, which was wrecked off the Coast of England. He then made arrangements to come on the *Mosel*, which was to sail December 11, 1875. Mr. S. arrived at the Bremen wharf just as the last truck-load of baggage was going aboard. Seeing his trunk, he asked permission to take a box of cigars from it, and then hurried to his stateroom, to put them away. He had hardly gone below when the workingmen, in removing a heavy case from the truck, dropped it on the stone pier. At once there was a fearful explosion. Some two hundred were instantly killed, not one of those on the wharf escaping. The case contained an infernal machine, set to go off in eight days, which had been shipped to realize the insurance on a large lot of worthless cases, shipped as merchandise. Mr. S., however, was uninjured, and arrived safely by the next steamer. He attended the Centennial Exposition before returning to Santa Clara county. Married, June 1, 1872, Dora Munro, a native of Canada.

Orvis Stevens.—Born in Chittenden county, Vermont, on the 11th of November, 1830. At the age of twenty-one years he came to California via

Panama. Soon after his arrival, in the year 1852, he proceeded to the mines at St. Joe's Bar, Yuba river, near Downieville, and there remained one year; he then went to Camptonville, from there to Sacramento, thence to the mines at Minnesota, Sierra county; two years thereafter he removed to Eureka South, Nevada county, and conducted a dairy for one year; we next find Mr. Stevens stock-raising in Solano county, near Rio Vista; at the end of a twelvemonth he proceeded to Forrest City, Sierra county; eighteen months after, he paid a visit to the Eastern States; in three months he returned and proceeded to Chips' Flat, Sierra county; where he for several years carried on the butcher business, and finally came to Burnett township, Santa Clara county, in 1868. Here Mr. Stevens engaged in farming until 1875, when he rented the "Twelve-mile House," where he has a store, a blacksmith's shop, a hotel, and a post-office. Is a School Trustee. Married, in Sierra county, December 7, 1866, Louisa Leonard, by whom he has five children, viz.: Charles, born, March 3, 1868; Frank, born, May 27, 1869; Burt, born, August 12, 1873; James, born, March 31, 1874; Warren, born, November 4, 1877.

William Tennant.—The subject of this sketch, whose portrait appears in our work, was born in London, England, June 15, 1830, and is descended from good old Scotch stock. He is the eldest son of William and Dorinda Tennant, the former of whom came to California in 1849—his family coming out with our subject. Having received his early education in the world's metropolis, he afterward learned the trade of a piano-forte maker, which he followed until 1851, when he sailed in the ship *Prince Charlie*, by way of Cape Horn, for California, arriving in San Francisco in the latter part of that year. He almost immediately commenced tuning pianos in that city, being the only one of that occupation in the State. Early in 1852, he was called to Alviso to tune the piano of Governor Burnett, and afterwards performed the like duty at the Santa Clara and San José colleges, and returned to the city, but being enchanted with the valley, he returned in a short time, rented the ground on which the Twenty-one-mile House stands, and commenced keeping that station, in the Spring of 1852, where he has since resided. He now farms twelve hundred acres of the finest land in the county. Mr. Tennant is reckoned among the most successful agriculturalists in Santa Clara county, while it is said of him that he has never been known to fail in any undertaking. He was for some years one of the Directors of the Bank of Gilroy, and is now a stockholder in the Bank of San José, and also in the Home Mutual Insurance Company, as he is also a Director of the Santa Clara and San Mateo Agricultural Society, while it is a matter of fact that he has ever been willing to put forth a helping hand to his less fortunate fellows. During a trip to Europe, in 1873, his house was sacked by the

noted desperado, Tiburcio Vasquez and his band, who carried off booty, in the shape of jewelry and articles of *vertu*, to the value of eight hundred dollars. Mr. Tennant was appointed Postmaster at Tennants, April 5, 1871, and still holds the position. He married at San José, April 22, 1866, Margaret McAllister, and has four living children, viz.: Mary Ann R., Isabella M., Emily C., and Sarah E.

L. L. Tourtillott (*Deceased*). Born in Penobscot county, Maine, June 30, 1836. When a mere child he was taken to Lee county, Illinois, where he was educated and engaged in farming. In 1859 he crossed the plains to California, arrived at Placerville in 1860, where he was engaged as a clerk in a general merchandise store until the middle of December, when he came to Santa Clara county, and engaged in lumbering in the redwoods at Lexington until 1864. Thence he proceeded to San José where he resided until June, 1865, at which date he purchased the place where his widow now resides. The property is situated in San Felipe valley and comprises three hundred and twenty acres. He died October 27, 1876, having lived on the ranch continuously since its purchase, save two years which was passed in San José. He married, February 21, 1864, Mrs. Jane A. Gould, a native of Ohio, who has by her first husband: George A., born May 17, 1853; Frank H., born August 29, 1855; and by her second: Howard H., born March 8, 1866; Milton A., born June 18, 1867; Ernest E., born December 7, 1869; True T., born September 18, 1871; Walter W., born May 16, 1872.

G. W. Wilson. Born in San José, Santa Clara county, California, June 30, 1853, and was educated at Santa Clara College. Mr. Wilson has been a farmer nearly all his life; he now owns about seven hundred acres of land in Burnett township, where he raises a large quantity of grain, and rears some very excellent stock. He has the reputation of being a first-class, practical farmer. Married, February 1, 1876, Constantia Smith, a native of this county, by whom he has two children, viz: U. C., born November 2, 1876; Eliza A. born September 22, 1878.





J. R. Weller



FREMONT TOWNSHIP.

Doctor Bowling Bailey. Was born on the Kentucky and Tennessee line, April 1, 1831. February 12, 1850, he started with a mule team across the plains for California and arrived at Nevada City, September 27th of the same year. Mr. Bailey of course tried his chance at the mines and with good success. He came to Santa Clara county in June, 1853, and settled in Fremont township. Here he entered into the live-stock trade, driving his cattle to San Francisco and there disposing of them. This occupation he followed until 1859 when he commenced farming, which industry he has since prosecuted. He owns three hundred acres at his ranch near Mountain View, and two hundred and eighty more near Santa Clara. In the year 1859 he was elected to the House of Assembly, on the Democratic ticket, with a total vote of thirteen hundred and forty-nine; has been a School Trustee during most of the time which he has resided in the district. Married, November 3, 1858, Margaret Harmon, a native of New Jersey, by whom he has Mary B., born August 22, 1859; John S., born August 26, 1860. Married, secondly, September 27, 1877, W. G. Jones.

Edward Barron. The subject of this sketch, whose portrait appears in this work, is a native of the south of Ireland, where he was born June 24, 1831. Coming to the United States in 1847 he made New York his home until November, 1851, when he started for California via Panama, and arrived January 1, 1852. Not long after landing in San Francisco he commenced dealing in live-stock and so continued until 1860 when he retired with an ample fortune. After paying a short visit to the Eastern States in 1861, Mr. Barron returned to California to find that the Comstock Lode, Virginia City, Nevada, had been discovered, he thereupon formed a connection with some others interested in the principal mines, and commenced their development, an association he maintained until the year 1876, he being in these years the owner of a quartz mill and ledge himself, and President of such well-known mines as the Gould & Curry, Consolidated Virginia, and California, and this, too, at a time when they were paying dividends of over two millions of dollars per month. In 1876 Mr. Barron resigned these offices and retired from an active participation in business affairs. He then set out on a one year's tour in Europe; returned in 1877

for a few months; again crossed the Atlantic, and finally came back to California in April, 1878, when he established his residence at Mayfield. Here Mr. Barron has constructed one of the most attractive homes in Santa Clara county. Its grounds are highly embellished with large groves of ornamental trees, the approach is along a well protected avenue, the building is encircled by *parterres* of richly-hued flowers, while the *tout ensemble* conveys the idea of rare opulence and patrician retirement. He married, November, 1851, Maria Cleary, by whom he has two children: George E., and William R., both at school in England.

Frank P. Beverly. Was born at Mountain View, Santa Clara county, California, January 13, 1855, where he received his education, save a few months at an educational establishment at San José. Has been a farmer all his life, is at present Justice of the Peace of Fremont township, appointed May 14, 1881, by Board of Supervisors of Santa Clara county (*vice* R. B. Frink, resigned), and is agent for the following insurance companies: Liverpool, London and Globe; American Central; Royal, Norwich, Union and Lancashire; Imperial, London, Northern and Queen; *Ætna*; California; Phoenix; New York Life; Hamburg, Bremen Fire Insurance Company, and is also agent for A. S. Hallidie's wire works in San Francisco. Married Carrie R. Hartwick, a native of New Jersey, on March 23, 1880.

John Wesley Boulware. Whose portrait appears in this work, was born in Estill county, Kentucky, at Red River Iron Works, June 5, 1830, where he resided until he attained the age of fifteen years, when he accompanied his parents to Jackson county, Missouri, there receiving his education, first, in the common schools and afterwards one term in Pleasant Hill Academy, Cass county. His scholastic training ended, Mr. Boulware entered the lumber trade, and continued in it until he started for California. May 4, 1852, he commenced the weary journey across the plains with ox-teams and a herd of cattle, in company with Lindsey Lewis, his father-in-law, and arrived in Santa Clara county October 2d of the same year, locating on the precise spot on which he now resides, but did not settle there then, for after two months he removed to Mountain View; at the end of two years he proceeded to Calaveras valley where he farmed until 1861, and then came to his present place where he has since dwelt. He is one of the many successful farmers of the Santa Clara valley, while as a proof of his sterling worth, it is sufficient to remark that besides being a School Trustee for many years he was elected in 1872 to serve four years on the Board of Supervisors of Santa Clara county. Married, in Jackson county, Missouri, January 1, 1852, Louisa Lewis, and has: J. A., born April 24, 1853; M. A., born February 22, 1856; Permelia R., born January 31, 1858; and Louisa Jane, born October 5, 1860.

Benjamin T. Bubb. Born in Washington county, Missouri, February 15, 1838. At the age of twelve years he accompanied his parents to California and arrived by way of the plains, at Fremont, on the Sacramento river, August 25, 1858. Thence, in March, 1851, they moved to Downieville, Sierra county; from there, in July of the same year, they came to Santa Clara county, arriving in October, and after stopping in Santa Clara, proceeded to Fremont township and settled on a ranch one mile south-west from his present residence. In 1864 he located on the ranch where he now lives, where he has one hundred and sixty-eight acres in a high state of cultivation. Married, June 28, 1871, Sarah J. Smith, by whom he has four children, viz.: Charles R., born June 3, 1872; William F., born February 8, 1874; Alice G., born January 21, 1876; George R., born October 30, 1877.

William Henry Bubb. Born in Washington county, Missouri, December 26, 1836. In the year 1850 he came to California with his parents across the plains, arriving at Placerville, September 26th, and from there to Fremont, on the Sacramento river, where they tarried three months; thence they moved to Buena Vista, Nevada county, afterwards to Downieville, Yuba county, and finally to Santa Clara county, locating at Mountain View in September, 1851. Mr. Bubb followed the business of stock-raising in conjunction with his father until 1855, and in 1857 went to Fresno and Tulare counties, started on his own account and there continued until 1865, when he sold out and returned to the Santa Clara valley. Mr. Bubb is an extensive farmer in the district, and besides owning a hundred and fifty acres and a dwelling-house, possesses a half-interest in the large warehouses at the Mountain View depot. Married, October 16, 1867, at Mountain View, Susan Farrar, and has three children, viz.: Laura J., born June 2, 1870; Louisa, born November 27, 1871; Susan, born March 30, 1874.

F. W. Covey. Born in Sacramento, California, September 22, 1856, and when an infant removed to San Francisco, where he received his education. He then entered into the business of rearing thoroughbred horses, which he continued in that city until the year 1878, when he came to the magnificent stock farm of ex-Governor Leland Stanford, as foreman.

Lambert Dornberger. Born in Alsace, France, now Germany, April 3, 1828, where he was educated. In July, 1850, he landed in New York City and there resided until 1852 when he came to California *via* Panama, arriving in San Francisco December 6th of that year. He was engaged, until 1854 working at his calling; he then came to Fremont township, Santa Clara county, and August 17, 1854, located about one mile from May-

field, there residing until 1857. He then engaged in stock-raising on the borders of San Mateo county, until November 2, 1869, when he settled where he now resides near Mayfield. Married, September 10, 1861, Anna Kleinclaus a native of France, and has Eugene A., born September 12, 1862; Gustave L., born August 22, 1863; Albert L. and Victor (twins), born September 4, 1865; Anna J., born September 8, 1868; George, born February 24, 1870; Edward, born January 21, 1878.

John C. Duchesneau. Was born in Saint Francis, Bellechase county, Canada, January 27, 1832, where he resided until seventeen years of age and received his education in a French-Canadian school. In the year 1849 he went to Boston, Massachusetts, there learning the trade of a blacksmith, and living until 1852, when he moved to Worcester, in the same State, there remaining for a short period; he next transferred his residence to Rhode Island where he engaged in moulding bricks. On January 27, 1853, the subject of this sketch started for California and arrived in San Francisco June 10th, of the same year. On landing in that city Mr. Duchesneau commenced brick-making which he continued until the Fall, when he proceeded to Spanishtown, San Mateo county, and worked at his trade for six months, then returning to San Francisco; thence being employed in different localities chiefly at the mines on the Yuba river, Sacramento, American river, Virginia Flat, Iowa Hill and Amador county, where we find in the year 1856 he opened a butcher's shop. Disposing of this business in 1857, he moved about from place to place until 1859 when he went to Oregon, but staying there only eighteen months came back to California and settled on the site now occupied by the town of Mayfield in November, 1860, where he opened and conducted a blacksmith's shop for fifteen years. In 1875 he transferred his residence to Humboldt county, coming back to Mayfield in May, 1880. Married, October 8, 1860, Maria Dolan, native of Ireland, by whom he has two children, viz.: Walford C., born November 22, 1863; Rosa Zoe, born September 6, 1867.

William F. F. Foss. Born in Biddeford, York county, Maine, February 11, 1849, and there resided until June, 1857, when he accompanied his parents *via* the Isthmus of Panama to California. On arrival passage was taken on the steamboat *Antelope* for Folsom; thence they proceeded to Nevada county, and located about five miles from the city of that name. At the end of a year they moved to New York Flat, near Brownsville, Yuba county, and there dwelt until the year 1870. The subject of our sketch then entered and spent five months in the Normal school in San Francisco. In 1872-73 he taught in Yuba and Butte counties; in the latter year he entered the Normal school at San José, Santa Clara county, from which he

graduated in March, 1874. After this period he taught in schools in the counties of Butte, Sierra, and Colusa, and finally, in 1875, became Principal of the public school at Mountain View. Mr. Foss is also agent for several insurance companies, as well as being a Notary Public.

The Honorable Daniel Frink. The reminiscences of the early pioneers and adventurers on the Pacific coast must ever possess a peculiar interest for the Californian. Green in their memory will ever remain the trials and incidents of early life in this land of golden promise. These pioneers of civilization constitute no ordinary class of adventurers. Resolute, ambitious, and enduring, looking into the great and possible future of this western slope, and possessing the sagacious mind to grasp true conclusions, and the indomitable will to execute just means to attain desired ends, these heroic pioneers, by their subsequent career, have proved that they were equal to the great mission assigned them—that of carrying the arts, institutions, and real essence of American civilization, from their Eastern homes, and implanting it upon the shores of another ocean. Among' the many who have shown their eminent fitness for the important tasks assigned them, none merit this tribute to their characteristics and peculiar worth more fully than the subject of this sketch, whose portrait appears in this work. He was born in Chenango county, New York, August 7, 1827, and there resided until he reached the age of nineteen years, when he enlisted in the First Regiment, New York Volunteers, raised to take part in the Mexican war. Being assigned to duty on the Pacific coast, he set sail in the ship *Loochoo*, and arrived in San Francisco, March 26, 1847, where he was quartered until discharged, August 15, 1848. Gold had now been discovered, and the whole world would appear to be *en route* to the mines; to them also went Mr. Frink, his choice falling on those in El Dorado county, but not finding much encouragement to remain, he left the district after one month's mining, and returned to San Francisco. We next find Mr. Frink passing the Winter of 1848-49 in Chili, South America; coming back, however, in the Spring, he once more toyed with fortune in the mines, but soon left for San Rafael, Marin county, where he established a mill in the redwoods of that county, which he conducted until the Spring of 1850, when he again left for the mines, this time to the Yuba river, but only making a short stay, returned to Marin county, where he bought a ranch, and embarked in stock-raising. However, in 1859, he disposed of this farm, moved to Santa Clara county, and settled on the land whereon he now resides, consisting of four hundred acres of the best soil in the country. Mr. Frink has been a Justice of the Peace in Marin county. During the years 1851-52, he, with John Minge, were elected the Associate Justices to form the Court of Sessions of Marin, Al Barney being County Judge, while

in 1879, he was elected to the State Legislature on the Republican ticket. Married, in Marin county, October 26, 1852, Pauline H. Reynolds, and has six children living, as follows: William R., born October 26, 1853; Pauline E., born January 26, 1856; Daniel B., born November 8, 1857; Henry R., born December 7, 1859; Robert A., born April 25, 1865; Stella H., born September 24, 1868.

Delavan Hoag. The subject of this sketch, one of the oldest settlers in Fremont township, was born in Montgomery county, New York, March 20, 1827. When he grew to the years of manhood, he followed the trade of a butcher, and after, embarked in the wholesale sugar trade, in which he continued until the year 1854, on the 5th of July of which he started for California. Arrived in San Francisco by way of Panama, on the 1st of August, and on the following day came to Santa Clara county, located in Fremont township, where he has been farming for the past two and twenty years. Mr. Hoag is now and has been for three years interested in mining enterprises in Mexico and Arizona. Married, June 29, 1876, Elizabeth Donley, by whom he has Mary A., born in Mayfield, August 1, 1878. Mrs. Hoag has by her first marriage, two children, viz.: Frank, born in Contra Costa county, September 17, 1866; Katie, born in San Mateo county, July 14, 1868.

James A. Huff. A native of Butler county, Ohio, where he was born February 21, 1832. When but four years old he went to Cass county, Michigan, whither his parents had moved, and there received his education, and was raised a farmer, an occupation he followed in that place until April 6, 1863, when he started for California, and arrived in Santa Clara county September 6th of that year. He first settled in Mayfield, but in April, 1864, located on his present property of three hundred and fifty-eight acres, one hundred and ninety of which belongs to the home ranch, where, in 1878, he erected a handsome and commodious residence. Married, January 26, 1856, Emily E. Gard, a native of Cass county, Michigan, and has living: Henry, born December 5, 1864; Franklin Lester, born March 24, 1867; William Ellsworth, born December 18, 1869; James Arthur, born January 30, 1876; Alpheus Earlan, born March 30, 1879.

George Warren LaPierre. Born in Pawtucket, Rhode Island, October 18, 1829. When an infant he was taken by his parents to New London county, Connecticut, where he received his education. He then commenced life for himself, first in cotton factories, at different places; then to Yantic where he learned the trade of wagon-making, and served two years; thence he proceeded to Stafford Springs, where, falling sick, he returned to his home at Fitchville, New London, Connecticut. On January 20, 1853, Mr.

LaPierre sailed from New York to California in the ship *Northern Light*; at San Juan he was transferred to the steamship *Independence*. On the 16th February was wrecked on San Margarita Island, off the Coast of Lower California, when three hundred persons were lost, our subject and some others managing to make the island, and thus saved their lives. Here they were three whole days with neither food nor water; on the evening of the third day, however, they built signal fires on the highest points of the island, and on the following morning a whaling fleet hove in sight and took them off. Mr. LaPierre found a refuge on board the ship *Fairhaven*, Captain Fisher, where he was compelled to remain for two weeks, at the end of which a vessel was chartered to bring them to San Francisco, where he arrived March 31, 1853. After a stay of a month in San Francisco, Mr. LaPierre came to Santa Clara county, and variously employed his time until the month of June, when he engaged with Eastin & Larue, of Mayfield. Remaining here but a short time he moved to San Francisco, with the intention of proceeding to the mines, but, meeting his brother, he was dissuaded from embarking in that venture, and remained there, engaged in house-building during the Winter. The next Spring he opened a wagon-shop in Mountain View, but sold out at the end of two months, when he once more entered the employment of Eastin & Larue, and remained with them two years. After a visit to Kern river, he came to Mayfield, erected a wagon-shop, in partnership with his brother, and took J. V. Eastin into the concern. Meeting with an accident about this time, he disposed of his interest to his partners, and engaged with William Paul, as clerk, where he remained some three years and a half. During this period he bought back his original shop, and rented it to J. C. Duchesneau, with whom he afterwards went into partnership; but, after eighteen months, disposing of his share to his associate, he joined J. N. Spencer in a grocery store, but selling at the end of a year and a half to Hamilton, he remained in the establishment as book-keeper, which position he now occupies, the store being at present owned by Joseph Rosenblum. Married, at Woodside, San Mateo county, June, 1859, Berthina Brown, and has three children, viz.: James H., born August 10, 1860; Edward A., born January 14, 1862; Jennie, born December 23, 1865.

Henry Daniel Margot. Born in Switzerland October 26, 1837. When seventeen years of age he came to the United States and soon after arriving in New York City commenced to work at his trade of carriage building. He did not continue long at this occupation, however, but went into the country and for some time was employed on a farm. We next find Mr. Margot engaged in house-painting in Brooklyn, New York, for a year; then in a store for five years in New York City; and finally came to this State in

1862, on board the *Moses Taylor*. Soon after his arrival in San Francisco he entered a store as clerk where he remained six years, when he came to Mountain View Station, Fremont township, started and still conducts the first store in that thriving village. Married, June 3, 1865, at San Francisco, Mary Mulligan, by whom he has two children: Henry, born at San Francisco, July 11, 1866; Amy, born at Mountain View, April 24, 1871.

Bernard Mayer. Born in Dunkirk, Chautauqua county, New York, January 26, 1857. In 1858 he came to California with his parents who settled in Fremont township, Santa Clara county, where the subject of this sketch was reared and educated. At the age of sixteen years he entered the drug store at Mayfield, where he continued until March 10, 1876, when he became sole owner, and is now doing a thriving business.

Jules Mercier. Born in La Belle, France, in the year 1833. In the year 1852 he emigrated to the United States, came direct to San Francisco, and in 1853 started a wood and coal business in that city which he continued until 1856. From this year until 1863 he was master of the *Adeline*, a sloop that plied between San Francisco and the landing near Mayfield, and in 1864 purchased the ranch situated about three miles north of Mayfield on which he now resides. Mr. Mercier has just completed on his property, which comprises one hundred and six acres of very good land, a fine residence with every convenience, where he hopes to pass many days of full enjoyment. He married, in 1858, Adeline Ponce, a native of France.

Henry McCleary. Born in Indiana, June 10, 1840, and resided there until fifteen years of age when he went to Cass county, Michigan, and farmed until 1863. In that year he came to Fremont township, Santa Clara county, California, and commenced ranching near Mayfield, but afterwards moved to his present place, containing one hundred and three acres, near Mountain View. Married, April 1, 1866, Rachael Muncey, and has two children: John, born March 18, 1867; Ada, born April 4, 1869.

William Page. Born in Herkimer county, New York, March 31, 1826. When quite young he was taken to Oswego county, and at eighteen years of age to Wisconsin, where he resided until 1850. In that year he came to California and commenced mining in El Dorado county, and meeting with success, in four months he returned to Wisconsin. In 1852, we find Mr. Page once more in the search for gold, this time in Butte county, but fickle fortune had passed him by, he therefore, at the end of three months, removed to San Mateo county, and entered into a contract to cut timber for a mill, near Searsville. In 1854, he once more made a venture at the mines, but

with no better luck than the last, he therefore retraced his footsteps to San Mateo county, and opened a store at Searsville, which he conducted for thirteen years. In 1868, he came to Mayfield where he has since resided, being now engaged in the lumber business. He has an interest in a large tract of timber land in the southern portion of San Mateo county, also a half-interest in a steam saw-mill, with a capacity of fifteen thousand feet in the twelve hours. Married, January 15, 1857, Sarah Ann Smith, by whom there is a family of four children living, viz.: Francis E., born in 1858; William H., born in 1863; Carrie M., born in 1872; Myrtle G., born in 1879. They have lost one son, a child of eight years, who was run over on the line of the Southern Pacific Railroad Company.

William Paul. Born in Aberdeenshire, Scotland, where he received his education; then went out to Canada, where he had a brother living near Toronto, and spent two years there, when he crossed over to Rochester, New York, where he remained for some time, then traveled through the Western and Southern States, returning to Scotland, where he remained until 1838, when he emigrated to New South Wales. There he engaged in stock-raising, which proved disastrous at that time to every one engaged in it. In August, 1850, he arrived in San Francisco, where he remained a few months, came up this valley and engaged in farming and merchandising near the San Francisco embarcadero. In 1856, he removed his store to where Mayfield is now located, also purchased a portion of the Robles' Ranch, near by, where he also carried on farming. In 1867, he employed Mr. Bowen, the County Surveyor, to lay out the town of Mayfield, which has since become a prosperous village, of about one thousand inhabitants. In 1868, he sold his store to A. G. Rich, and his ranch, in 1875, to Peter Coutts. In 1870, he was located in a mine in Diamond District, Nevada, took out several hundred tons of rich mineral, erected smelting works at great expense, but the ore being of that rebellious nature which could not be worked, consequently lost a large amount of money. In 1871, he was elected Supervisor at Large for this county, in which capacity he served four years. In 1878, he revisited his native land, having been absent forty years; he also traveled through Belgium, Germany, Switzerland, and France, spent a month in Paris, visiting the Great Exposition. On his way home he spent a month in Canada, with his only surviving brother who still resides there. He now lives retired in Mayfield, looking after the few remaining lots he has there still unsold.

Andrew Jackson Pitman. Son of Berry Pitman, one of the first settlers of Missouri, his grandfather, Col. M. L. Pitman, being one of the first in Kentucky, and one of the few who founded Boonsborough in 1775. His father was born in Virginia in 1715, of Scotch parents who emigrated from

Edinburgh. Mr. Pitman was born in St. Charles county, Missouri, February 25, 1821, the same year the State was admitted to the Union. He there resided until he reached the age of seventeen. At that time he moved to Jackson county, Missouri, and there served an apprenticeship at blacksmithing up to 1840. Then he joined a Spanish freighting train under Jarvis (afterwards killed by the Indians), and in company with Major Hensley, for New Mexico, returning in a few months. He was appointed blacksmith among the Shawnee Indians, and worked at that business three and a half years, undergoing all the hardships and privations that are incident to early pioneers. Leaving his Indian friends behind, he returned to Missouri. He was there married to Armenia A. Lewis, daughter of Lindsey Lewis, August 7, 1844, and then turned his attention to farming. But love of adventure drew him into the tide of emigration that settled for California. On April 15, 1849, with six mule teams they started by way of Salt Lake, with Sam Lewis as Captain. July 28th they made Hangtown, now Placerville. After a few days' rest for men and teams they proceeded to Sacramento and thence to the mines on the south fork of the Feather river, where he remained until washed out by rains in December, '49. He then returned to Sacramento, where he remained a few weeks, then to San Francisco where he took passage on the steamship, *Oregon*, for Missouri, *via* Panama and New Orleans. His return, however, was but momentary, for on the 15th of April, 1850, he once more had his face turned westward, bringing his wife with him, he acting as captain of the train which consisted of ten wagons. He arrived in Sacramento August 23, 1850. Leaving that place he proceeded to Nicholas on the Feather river, where he started a hotel, which, however, he soon gave up for a farm three miles above Marysville, Yuba county, and there combined the two businesses of stock-raising and keeping a public house. In this locality he remained until December, 1852, when he came to Santa Clara county and settled in Fremont township, his first few years being devoted to stock-raising and dairying, which, however, changed as the country settled up into farming, an industry he followed with more or less success for twenty-five years. He is now in the dairy business in San José. Mr. Pitman has been across the continent no less than thirteen times, twice by teams, ten times by rail, and once by water. Who better than he can judge of the advance of the age. He has always avoided political offices, farther than serving in the capacity of School Trustee, preferring instead a domestic life. His married life has been a happy one. He has had ten children of whom three are dead. The oldest, James M., was born in Yuba county, January 30, 1851. The rest were born in Santa Clara county. Marion L., born October 2, 1854; Cornelius Y., born June 2, 1858; Berry M., born January 21, 1860; Willie A., born May 9, 1862; Belle M., born September 22, 1865; Ernest A., born September 23, 1869. Mr. Pitman is a member of the Territorial Pioneers' Society.

James L. Riddle. Born in Philadelphia, Pennsylvania, but when quite young removed to Boston, Massachusetts, with his parents where he was educated and reared. At the age of nineteen years he was apprenticed in an auction house where, at the end of nine years, he was admitted a partner, the firm being James Allen & Co., it, however, in a short time dissolved, when Mr. Riddle started in business for himself in the auction line, and so continued until he left for the Pacific coast. November 13, 1849, he sailed for California via the Isthmus of Panama and on arrival at San Francisco established himself in the auction trade, but on May 4, 1850, lost everything in the ever-to-be-remembered great fire. He at once laid in another stock of goods and was quickly in full operation on Sacramento, between Montgomery and Kearny streets; on June 21st of the same year he was again the victim of the fire-fiend; however, he purchased the lot on the north-east corner of Clay and Montgomery streets and anew commenced business which he carried on until 1852, when he converted his store into a carriage repository and imported the first Concord coach and carriages to this coast. About this time Mr. Riddle bought the Macondray iron building on the corner of Pine and Sansome streets; he retired from business in 1857, though still retaining an interest in that construction. He took up his residence in Fremont township in the year 1869, where he has a fine and comfortable residence near the foot-hills, on a good farm of one hundred and sixty acres. Married, in Boston in the year 1845, Lizzie A. Allen, who died September 21, 1864. Grace Ida is their only child.

Simon Saunders. Is a native of County Cork, Ireland. In the year 1856 he emigrated to the Australian gold fields, and having poor success, at the end of two years took passage in the ship *Orestes* for California, but the vessel being unseaworthy she put in at the Sandwich Islands and was there condemned. Leaving the Islands in the bark *Yankee*, he arrived in San Francisco, December 4, 1858. Not long after he obtained employment from Dennis Martin in San Mateo county where he remained two years, got married and came to Santa Clara county. He farmed for fourteen years on the Martinez ranch then came to his present place near Mayfield, where he has had his residence during the past six years. In the year 1870 Mr. Saunders paid a visit to Europe. He is the owner of two hundred and twenty acres of land in this county, while he has been agent for the last seven years for J. Clark, the owner of vast possessions in Fremont township. Mr. Saunders is one of those men who by dint of hard work, indomitable perseverance and a strict attention to duty, has made a stake in the country. He married at Redwood City, San Mateo county, September 3, 1859, Bridget McNamara, a native of County Clare, Ireland, by whom he has one son and two daughters at present living.

Gilbert E. Shore. Born in Crawford county, Missouri, October 4, 1846. Came to this county and township in the month of August, 1852; was educated in this and Contra Costa, graduating from a college in the latter county, and now, besides being an extensive grain buyer, farms two hundred and forty acres of land near Mountain View. Married, April 13, 1870, Emily Bullard, and has three children: Anna, aged seven, Mary, aged three, and Richard E., aged two months.

Elias Fulton Springer. Born near Potosi, Washington county, Missouri, March 10, 1831. In May, 1852, he left his native place for California by ox-teams *via* the plains and came direct to Santa Clara county, in Fremont township, where in a few weeks after his arrival in September, he was married to Miss Kate Shore, October 14, 1852. Began farming on rented land with but little success, and in 1868 bought a farm between Gilroy and Hollister, farming it for four years. He sold out and bought the farm on which he now lives near Mountain View—a most delightful and charming home, where, with a conscience void of offense toward God and man he hopes to pass the remainder of his days. Mr. Springer's children now living are Lida H., the wife of Thos. Chappelle, Santa Maria, San Luis Obispo county, California, born October 28, 1853; Charles T., born April 29, 1862; Lizzie F., born July 15, 1864; Susie B., born June 29, 1868.

M. O. Stanley. Was born in Clarke county, Missouri, December 19, 1848, where he followed farming until 1870 when he started for California, arriving in February of that year. Not long after he proceeded to Humboldt county, where he worked for three years in a butcher's shop, at the end of which time he came to Mayfield, about February, 1873, and found employment in the Mayfield Livery Stable, there remaining until 1878 when he purchased the remaining shares, October 20, 1879, and now conducts the entire establishment.

S. P. Taylor (*Deceased*). The subject of this sketch was born in Green county, Kentucky, May 4, 1826, and there resided until he was ten or twelve years old. He then went with his parents to Jackson county, Missouri, where he lived for a number of years; then to Pleasant Hill, Cass county, for about fifteen years, and on April 14, 1853, left for California. Having crossed the plains with ox-teams he came direct to Santa Clara county, and after a few months went to the redwoods in San Mateo county where he worked for one year, at the end of which he returned to this county and located on Adobe creek, Fremont township, where he farmed for two years. Mr. Taylor next moved to near Mountain View where he commenced the butcher business, combining farming with it, which he followed until 1860.

At this time he opened a hotel and store at Mountain View, and was engaged in managing these at the date of his death, December 14, 1877. During the residence of Mr. Taylor at Mountain View he filled the important offices of Postmaster, for ten years; Notary Public for three years; and agent for Wells, Fargo & Co., for eight years. He married, in Missouri, March 2, 1852, Miss Letitia Kifer by whom there are: Mary A., born December 27, 1852; Samuel A., born May 23, 1855, who now conducts the hotel in conjunction with his mother; Clara E., born September 25, 1857; John A., born November 1, 1860; Lucy B., born September 12, 1863; George G., born September 5, 1867.

James H. Van Reed. Born in Berks county, Pennsylvania, November 2, 1809, where he resided for the first thirty-five years of his life. On coming of age Mr. Van Reed started the manufacture of paper, an industry he prosecuted for some years; he next established himself as a broker in Philadelphia and so continued until he left for the Pacific coast. July 4, 1851, he set sail by way of the Isthmus for California on steamer *Panama* and arrived at San Francisco, August 19th of the same year. On arrival he at once started in business as a gold-dust broker which he continued until July, 1853, when he returned to the Eastern States and brought back his family. On his return he embarked in the real-estate business in which he remained until 1871, the date of his taking up his residence in Santa Clara county. The farm on which he lives is the property of Mrs. Van Reed, and was a wilderness when first occupied, but by great care, much perseverance and good taste, the wildest spots have been given an air of quiet repose, while the most dense brush has been so fashioned as to leave a picture of marvelous beauty. Married, in Berks county, November 6, 1832, Julia H. Miller by whom he has two children living, and two dead: Eugene M., Consul General for the Sandwich Islands in Japan, born in Berks county, Pennsylvania, 1835, died on board steamer *Japan*, en route to San Francisco February 8, 1873; Margaret, born in Berks county, Pennsylvania, 1840; William, Captain Company B, Fifth U. S. Artillery, stationed on the coast of Florida, born in Berks county, Pennsylvania, in 1841; and, Kate I., born in Berks county, Pennsylvania, and died there in 1878.

George T. Wagstaff. Was born in Guernsey county, Ohio, August 30, 1832, where he was educated, and served in his father's store until he started for California. He arrived in this State in August, 1852, and lived for the first seven years in Pine Grove and La Porte, Sierra county, owning, during that time, several of the largest mines in that district. From there he went to Hamilton, Butte county, where he sojourned three years, conducting a hotel, and being Postmaster. We next find Mr. Wagstaff assisting

in the laying out of an orchard in Ventura county; from there he proceeded to Paso Robles Springs, San Luis Obispo county, where he herded sheep for three months; thence to Napa county, being employed by R. B. Woodward for seven months; next to Knoxville, Lake county, for two years, engaged in quicksilver mining; and finally to Mountain View, and got married, but left for Sutter county, returning, however, at the end of eighteen months to settle in Fremont township. For six years he was in the employ of the Southern Pacific Railroad Company; he then rented the hotel at Mountain View Station, owned by Weilheimer Brothers, which he conducted for three years, at the end of which he opened his saloon, being also engaged in transactions in hay and grain. Married Murilla J. Levin, a native of the State of Illinois, by whom he has three children: Belle, born, January 25, 1867; Selah, born, July 15, 1868; Lotta, born, March 2, 1872.

Honorable Joseph Sawyer Wallis. The subject of this sketch was born in Salem, Massachusetts, October 24, 1825, and received a liberal education in his native State. In the eventful year of 1849, Judge Wallis organized, at Salem, a company of twenty persons, mostly young men, under the name of the Naumkeag Mutual Trading and Mining Company, of which he was President, for the purpose of operating in the gold fields of California. He sailed, with his company, in the ship *Capital*, Thorndike Proctor, Master, from Boston, January 24, 1849, arriving in San Francisco, July 19th, of the same year. At Sacramento the company disbanded, when the Judge organized another company, and went to the mines on the middle fork of the Yuba river, mining with success till the 4th of November following, when he returned to San Francisco, and applied himself to the study of law. On the 15th of August, 1855, he was admitted to practice at the Bar of the Supreme Court of this State. He followed his profession at San Francisco till November, 1857, when he removed, with his family, to Mayfield, in this county, where he has practiced his profession ever since. He has ever been an active and prominent Republican in politics, of the radical type. In 1848, he was an alternate delegate from his native place to, and attended, the National Free Soil Convention, at Buffalo, New York. In 1858, he was elected a Justice of the Peace, for Fremont township, and, in the same year, was chosen an Associate Justice of the Court of Sessions, for this county, and served one term. In 1862-63, he represented this county in the State Senate. He was married to Sarah Green, July 25, 1854, and has four children living, viz.: Eva, born October 27, 1855; Josephine, born March 20, 1857; Joseph, born March 18, 1859; William A., born June 11, 1861. Talbot H. Wallis, born July 3, 1851, the present Deputy State Librarian, is his step-son.

Frederick William Weisshaar. Born in Saxony, Weimar, July 2, 1832, where he received a collegiate training, and was educated a theoret-

ical farmer, a business he followed before leaving his Fatherland. In the year 1852, he emigrated to the United States, and first settled in Baltimore, Maryland, but not finding in that city a congenial occupation, he went into the country and worked at various employments; in a short time, however, returning to Baltimore, he made arrangements to proceed to New Orleans, but being laid low for nine weeks with yellow fever, he changed his location to St. Louis, thence to Lexington county, Missouri; made two trips more to New Orleans, and finally started for Nicaragua, intending to settle there. At this period, Walker, the filibuster, held sway in that region, and being in want of men, among other necessities, determined to press Mr. Weisshaar into his service, but not desiring the questionable glory, and probable fate, of a soldier of fortune, that gentleman laid his case before the Prussian Consul, who at once effected his release, thus saving him from the eventual fate of Walker and his buccaneers. Mrs. Weisshaar, not being smitten with this country of snakes, scorpions, and freebooters, prevailed upon her husband to leave its inhospitable shores. He therefore left for California, and arrived at San Francisco, June 26, 1856. After working at day's labor for a twelvemonth, he obtained employment in the furniture business of Mr. Bidwell; and there continued until the excitement consequent on the discovery of gold on the Frazer river. Our subject at once made up his mind to start for British Columbia, but, fortunately for himself he changed his intention, and entered the furniture store of J. A. Collins, for whom he worked until he sold to James B. Goodwin, with whom he remained until the year 1862, in which year he came to Mayfield, where he purchased land, which, dividing into town lots, he sold, and now owns several houses in Mayfield, besides a farm on the coast. Mr. Weisshaar has been a School Trustee for nine years, and has been re-elected for three years more. Married, at New Orleans, Odilia Diss, by whom he has F. William., born December 9, 1856; Joseph, born March 19, 1858, died of lock-jaw, April 13, 1868; D. L. Elizabeth, born January 4, 1860; Louis G., born July 5, 1861; Francisca M., born January 1, 1865; Emil F., born November 8, 1866; Nathalia F., born February 26, 1868; Pattilia J., born November 20, 1869.

John A. Wright. Born in Middlesex county, Massachusetts, September, 19, 1842, where he learned his trade of carpenter. In 1862, he shipped on board the bark *Panama*, in the capacity of ship's carpenter, and in her sailed for Australia, and finally concluding the voyage in San Francisco harbor, where he arrived in the Fall of 1863. He at once went into the ship and house building trade, which he followed until 1869, when he came to Santa Clara county, and commenced working at Mayfield, but ultimately removed to Mountain View, where he now resides, and carries on the business of a contractor and builder. Mr. Wright is the constructor of many of the finest edifices in his neighborhood.

GILROY TOWNSHIP.

W. Z. Angney (*Deceased*). The subject of this narrative, whose portrait appears in this work, was born in Carlisle, Pennsylvania, October 3, 1818, and died at his residence in Gilroy township, January 28, 1878. He received his education primarily in the grammar department of the High School of his native place, and at the age of seventeen years entered Dickenson's College, from which seat of learning he graduated, with honors, at the end of four years. He then entered upon the study of law, reading for two years, under Mr. Alexander, of Carlisle. Soon after, Mr. Angney removed to Jefferson City, Missouri, where he was admitted to the Bar, at the same time as P. O. Minor, of San José. Here he remained between four and five years when, the Mexican war breaking out, he joined the army, and was appointed a Lieutenant; a subaltern's work was to be his only for a short time; he was soon promoted to a company as Captain, and in the campaign rose to command a Brigade of Regulars, in all of which responsible positions he displayed both skill and courage. At the close of hostilities he was chosen one of the Delegates to Washington, D. C., in the interests of New Mexico in regard to her admission into the Union. After a year on that duty he returned to New Mexico, and in 1851 came to California, in charge of a large party, he being the first person to drive sheep over that route. After traveling through California for some months, he made a visit to his native State, but returned to the Pacific coast, *via* Panama, and took up his residence in San Francisco in 1863, where he entered upon the practice of his profession, and continued it for one year. In the course of time Mr. Angney had become well-known and gathered about him a great many clients and a large practice; but, having conscientious scruples in regard to the practice of law in San Francisco in those days, he abandoned the office and the desk, and, purchasing a band of sheep, came to Santa Clara county, and established himself upon the ranch of three hundred and seventy acres, where his widow now resides. Mr. Angney had always taken an active part in all enterprises that tend to enlighten and elevate the mind. He was a member of the Legislature in 1867-68; was elected to the Senate for four years in 1875, and it was when home from his labors in the Upper House that he was gathered to his Father. Captain Angney was considered a fine scholar, a polished gentleman, a true friend, a bold enemy, and, above all, an *honest man*. His friends loved him; his enemies feared him;

he was also a fine entertainer, full of humor, full of cheerfulness, and the best company in the wide world. He was twice married; first, in 1850, to an English-Spanish lady, of Santa Fé, New Mexico. One daughter was born of this union, Miss Annie, now in England. He was married again, in San Francisco, April 24, 1863, to a Miss Witham, a native of Oxford county, Maine. After the death of our subject the following verse was found in his pocket:—

“ We die not all, for our deeds remain
To crown with honor or mar with stain.
Through eudless sequence of years to come,
Our lives shall speak, though our lips are dumb.”

George Anson. Was born in Logan county, Kentucky, January 18, 1816. When eleven years of age he went with his parents to Pike county, Missouri. In 1835 we find Mr. Anson in Black Hawk Purchase, forty-five miles above the mouth of the Des Moines river, afterwards becoming Van Buren county, State of Iowa; being reared a farmer, here he remained until 1850, when he crossed the plains to California, arriving at Hangtown (now Placerville) August 26th of that year. He proceeded to Coloma, where he mined until October 1st, and then came to Santa Clara county, remaining until February, 1857, when he returned to the mines, continuing there until August; then, coming back to this county, farmed for a year near San José, when he purchased a ranch near to Dr. Bascom's, and there dwelt until the month of November, 1853; at this time he came to Gilroy township, bought a squatter's claim, near the town of that name, and in July, 1858, purchased his ranch of two hundred and eighty-seven acres, two miles north-west of Gilroy, where he is now, and has since resided. Mr. Anson remains single.

Silas G. Babb. Born in Henry county, Tennessee, July 25, 1841. When but four years of age he moved with his parents to Arkansas, where he resided for nine years; then he moved to Navarro county, Texas, and five years later, to Tarrant county in the same State. In the year 1857 he proceeded to Arizona Territory where he remained until 1858, in April of which year we find him in San Diego, California. In the Spring of 1859 he moved to San Benito county and engaged in mining in Holcomb and Bear valleys from the Spring of 1860 to the Fall of 1861, at which time he purchased stock and drove them to San Luis Obispo, where he arrived in October, 1861. Leaving his cattle here he proceeded to Santa Cruz county and commenced operations in the redwoods which he continued until the Spring of the following year; he then came to Santa Clara county and located on Hanna Brothers' ranch, where he worked for wages until the Spring of 1867. In the Fall of that year he removed to Salinas, Monterey

county, and there established the first meat-market in Natividad. In April, 1868, he opened the first butcher shop in Salinas City which he conducted eight months, and selling out in November, returned to Santa Clara county and located at Gilroy. In 1869 he purchased stock and took up government land at the head-waters of the Los Baños creek, in Fresno county, but has made his residence in Gilroy. Mr. Babb remained in the stock trade until the Fall of 1875, and in 1876 embarked in an express and truck business, but sold out in 1880. Married, in California, January 1, 1871, Elizabeth Philbert, a native of Missouri, and has: Sarah E., born June 4, 1875; Minerva M., born October 16, 1877; George W., born November 9, 1878; Maggie H., born September 7, 1880.

William Wallace Beauchamp. Was born in Platt county, Missouri, July 30, 1836. In 1844 he took up his abode in Holt county, and there was reared a farmer. In 1850, in company with his father he crossed the plains to California with ox-teams, and first located in Contra Costa county, where they arrived in October of that year. Here he resided for ten years except one twelvemonth which he passed in Oregon. In 1860 he came to this county and farmed near Santa Clara, and in 1863 removed to his present ranch comprising one hundred acres in Gilroy township. Married, September 26, 1858, Mary E. Lovell, a native of Kentucky, and has: Delia A., born October 10, 1860; Theodore Edwin, born November 18, 1865; Robert Lee, born December 13, 1867; Laura A., born July 27, 1869; William Ira, born August 17, 1876.

George E. Bennett. Born in Litchfield county, Connecticut, August 25, 1831, where he was educated and served eighteen months at the blacksmith's trade. In the year 1850 he came to California *via* the Isthmus of Panama arriving in San Francisco in November, 1850. He first proceeded to Stockton, and thence to Sonora, where he engaged in merchandising, and teaming to Stockton besides. In the Spring of 1852, with a brother, he became interested in a saw-mill doing business at Sonora under the firm name of Slacy, Turner & Bennett, but, owing to failure of health, he disposed of his interest therein and started in the stock business about five miles north of Stockton. This enterprise he disposed of in the Winter of 1852-3, and becoming a speculator in beef, he finally drifted into the sheep business in San Joaquin county. Mr. Bennett now became interested in stock-raising in the counties of San Luis Obispo and Monterey until 1862; in that year he took up his residence in Gilroy, Santa Clara county, to have the benefit of its educational advantages for his children; and there, in 1865, he opened the establishment which he now conducts. Married, April 11, 1858, Eunice Pidge, a native of Michigan, and has: Joseph Edmund, born

January 28, 1859; William C., born May 15, 1861; Elna, born June 15, 1863, died June 17, 1867; Alice G., born May 18, 1866; Abbie J., born July 12, 1867, died September 10, 1868.

F. W. Blake. The present editor and proprietor of the *Gilroy Advocate*, was born and educated in the city of London, England. His father was a physician and his mother a daughter of William Lansley, master-builder and contractor of Andover, Hants. His brothers were educated in their father's profession, and one is now practicing in England, and another in San Francisco, California. F. W. Blake had no taste for medicine, and a clerkship was obtained for him in one of the bonded warehouses of the Custom House on the river Thames. For five years he was thrown daily in contact with the officers of trading vessels, and after the death of his parents in his twenty-third year, he was persuaded to accompany a friend, the captain of a merchantman, on one of his voyages. In May, 1861, he landed in New York; after remaining there a few weeks he moved westward to Chicago. He soon after joined the telegraph expedition and crossed the plains, wintering in Salt Lake City and arriving the following Spring in San Francisco. The first twelve years in this State were spent in the mercantile business; the last eight have been devoted to journalism. He was always partial to controversy and literature, and when he entered upon the duties of the editorial sanctum he was a ready writer. The *San Benito Advance*, founded by William Shaw, an able journalist, lost none of its popularity under the management of Mr. Blake. The *Gilroy Advocate* has since prospered under his control. Few country papers have a more respectable standing. It ably chronicles all matters of local interest. It has done much to establish the reputation of Gilroy as one of the best localities for a home in the State. Mr. Blake is in the prime of life, of firm purpose, and resolute disposition, but with a kindly heart, ever ready to lend a helping hand to the necessitous and worthy.

William Brannan. Born in County Mayo, Ireland, December 25, 1830. When four years old he accompanied his parents to the United States, who located at Oswego, New York, where the subject of this sketch was reared. We next find Mr. Brannan serving his apprenticeship at Buffalo, there remaining five years in the confectionery business; his parents then moved to Chicago, where his father died. On account of ill-health our subject was obliged to abandon his trade; he therefore followed the sea for a livelihood, until he came to California in November, 1850. On arrival he at once went to the mines in El Dorado county and there worked for fifteen years; then left and went to hotel keeping on the Placerville and Carson valley wagon road; then moved to Gilroy and went in the grain, hay and livery business on Eigelberry street, at which place he now resides.

The Honorable H. W. Briggs. The subject of this narrative was born in Rome, Oneida county, New York, August 25, 1819, and is consequently in his sixty-second year. His early schooling was received in the institutions of learning in Lewis county in that State, until he attained the age of thirteen years, when he entered a business house in the capacity of clerk, in Rome, and there remained three years. At eighteen he moved to Lake county, and commenced the career of a school teacher; from here he proceeded to Giles county, Tennessee, where he married and for several years taught at Beech Grove Seminary and Marshall Academy, and afterwards at Spring Creek Academy, Madison county, Tennessee, moving thence, in 1847, to Davis county, Iowa, where he started a mercantile business in Troy. While a resident of this town Mr. Briggs was appointed postmaster; and took an active lead in all the enterprises which tended to build up the place and promote its growth. He was elected to the Board of Supervisors in 1849, and in 1851, he was chosen to fill the high position of County Judge, on whom devolved, at that time, all of the duties now performed by the Supervisorial Board, and by the Probate Court, together with criminal jurisdiction. That he was eminently successful in this sphere of his labors is best told in the fact that during his four years tenure of office only a single appeal was taken from his to a higher court, and in this, his judgment was sustained, a bright example of an evenly balanced mind, and all the more creditable when it is taken into consideration that during these years Mr. Briggs was forced to divide the cares of his mercantile labors with those of his legal position. In the year 1859, disposing of his business, he came to California, intending to embark in farming operations, therefore in the month of October of that year, on arrival in Santa Clara county, he purchased a tract of land in the Berreyessa settlement near San José and commenced tilling the soil, but unfortunately losing his leg by an accident in a threshing machine, July 18, 1860, this vocation was brought to a premature end. Though being the victim of misfortune Mr. Briggs was not to remain inactive; he was elected at the Presidential election of November 6, 1860, on the Republican ticket, to the Assembly, when he received one thousand four hundred and seventy-four, out of fifty-nine hundred and seventy-two votes polled, beating his opponent by one hundred and thirty-six. During his presence in the Legislature Mr. Briggs took a prominent and active part in the debates had at the outbreak of the Rebellion, while so appreciated were his labors, that at the close of the Session he was appointed Register of the United States Land Office at Visalia, Tulare county, California. While here, in addition to his official duties, Mr. Briggs conducted a mercantile business and edited a newspaper called *The Visalia Delta* which was published by his son. In 1868 he transferred the scene of his operations to Gilroy where he took charge of the mercantile business of J. M. Brown, which he afterwards purchased and still

conducts, and was shortly afterwards appointed Postmaster for that town which office he still holds. No sounding eulogium is needed from us, nor do we purpose to ring the praises of the Hon. H. W. Briggs; let the foregoing facts speak for themselves and be a beacon to the young to emulate such a bright example of courage and perseverance. He married, firstly, July 4, 1843, Mary M. Stinson, a native of Tennessee, who died in 1854; by whom there are Mary, Henry M., Walter F., Fred C., and Eugene A., all now living, but the youngest, sad to say, is blind—but as if the Creator had been determined to make up in one way what had been lost in another, he has blessed this young man with marked talents and a sweet disposition, and, besides being a graduate of the Blind Institution at Berkeley, Alameda county, he is a skilled musician, which science he teaches, and a poet of no ordinary ability. Mr. Briggs married, secondly, Julia Willey, a native of Genesee county, New York, in 1856, who is now living. While Judge Briggs has been an incessant worker in his business, he has been equally active in the moral and intellectual movements of the day, and has always taken a warm interest in the welfare of the children in the communities in which he has lived. He has been a Sabbath-school Superintendent for more than thirty years, and a School Trustee for twenty-seven years, and never seems quite so happy as when surrounded by the little ones who seem to know intuitively that he likes them.

E. E. Brock (*Deceased*). Was born in Franklin county, Virginia, January 13, 1802. When a young man he went to Missouri, and was there raised and educated. He afterwards moved to Wisconsin, and there followed farming and lead-mining for a number of years. Mr. Brock took an active part in the Black Hawk war, and in 1847 returned to Missouri, *en route* for California. In the Spring of 1848 he started across the plains for this State, and, arriving on the Yuba, commenced mining, which, however, he was obliged to abandon, on account of sickness in his family. He then came direct to this county, located in the town of Santa Clara, being engaged in farming and stock-raising, and there continued until March, 1862, when he removed to the farm his widow now occupies in Gilroy township. He departed this life May 21, 1869. Mr. Brock was twice married. The widow who survives him, whose maiden name was Eliza S. Day, he espoused June 20, 1843. She is a native of West Virginia. The family by the first marriage consists of Augustus, Robert, Llewellyn, and Benjamin, born in Wisconsin; and by the second wife: Lizzie, born September 12, 1844, in Grant county, Wisconsin; Frankie, born in Wisconsin; and Emma, Ella and Elisha, born in California.

B. Bryant, M. D. A native of Spartanburgh county, South Carolina.

Here he received his earlier education, but in 1837 he moved to Memphis, Tennessee, entered the Bratanical Medical College, and graduated in March, 1848, after which he commenced to practice in Camden, Wilcox county, Alabama, and, remaining there one year, came direct to California, arriving in San Francisco June 12, 1849. At this time medical men were scarce, and those who had come to the country had betaken themselves to the mines; it was therefore a humane prevision which started Dr. Bryant, supplied with an ample store of medicines, to Sacramento, there to establish a hospital, combining with its care the discharge of other professional duties. In Sacramento he remained until December 1st, when he returned to Memphis, and there fitting out teams made the journey across the plains, with two dozen companions, who were to prosecute mining with him "on shares." This journey was completed in 1850. Putting his men to work in the mines, the Doctor, with his family, transferred his residence to Yuba county, where he built a hotel, and conducted it with marked success until the Fall of 1852, in which year he sold his interest to a man named Rice, and came to Santa Clara county, locating in Gilroy, November 20, 1852. On December 1st he purchased one thousand acres of land from Daniel Rhodes, and soon after acquired two other tracts of seven hundred and five hundred acres each, making the aggregate of his possessions to be two thousand two hundred acres. On this property the Doctor commenced the raising of sheep, a business he conducted until 1877. Moved to San José in 1866, and was interested in banking, real estate, etc. Has always practised his profession in the county, save for the period mentioned—1866 to 1877—and is, with the exception of Doctor Ben Cory, the oldest practitioner in Santa Clara county. Married, firstly, December, 1845, Nancy L. Whitley, of South Carolina, who died in the year 1860. By this union the children are: Perry M., David T., William G., and George P. Secondly, married, April 6, 1864, Henrietta Reeve, a native of Ohio, by whom he has: Calhoun B., and Edgar R.

John Burchell. Born in Castletown, County Cork, Ireland, June, 1829. In the year 1845 he emigrated to Canada, but shortly after his arrival removed to Rutland, Vermont, where he remained until coming to the Pacific coast. Making the journey to California *via* Nicaragua, he arrived in San Francisco, April 22, 1855, and in the following August, settled in Santa Clara county, and engaged in dairying in East San José. A year later he proceeded to Sonoma county and commenced the like occupation and farming, at the Eight-mile House, between Santa Rosa and Petaluma. Here he dwelt two years, when he returned to Santa Clara county or valley, and established himself, September 1, 1859, in Gilroy township, on his present property, four miles from Gilroy, comprising three hundred

and seventy-five acres, where he is now engaged in farming and stock-raising. Married, May 5, 1859, Mary Heaney, a native of Ireland, and has: Mary Jane, born November 19, 1860; Richard, born November 20, 1864; Ellen, born September 18, 1866; John William and Catherine Emma (twins), born August 3, 1868; Margaret, born January 7, 1871.

John D. Burns. Born in New Castle on Tyne, England, December, 1842. In the year 1863 he emigrated to the United States, joined the army and went to New Orleans; was discharged in April, 1865. He came to Gilroy in 1870 and engaged in the lumber trade. He was married to Emily Hartshorn December 11, 1873. Their two children are: Sadie, born November 2, 1874, and Robert W., born August 18, 1878.

Alfred Chappell. Is a native of the State of Georgia where he was born March 6, 1819, educated and reared a farmer. In the year 1839 he proceeded to Arkansas; in the Spring of 1840 he removed to Newton (now McDonald) county, Missouri, where he resided until May 1, 1843, when he started for Oregon, across the plains, in company with such well-known pioneers as Julius Martin, Major Hensley, and many others; the subject of this sketch, with the Applegate family, Waldo family, Ex-Senator Nesmith, and Governor Burnett, proceeding to Oregon. In the Spring of 1844 he returned to Missouri with Colonel Gilpin; in the like season of 1850 he re-crossed the plains and arrived at Winter's Bar, October 10th of that year. In 1852 he came to San José where he farmed until 1853; in that year he removed to Gilroy township and located on his present ranch comprising two hundred acres. In the year 1869 Mr. Chappell visited his friends at the East. Married, December 12, 1839, Mary Lauderdale, a native of Tennessee, and has nine children: Robert W., born January 28, 1841; Sarah O., born February 6, 1843; Fannie Jane, born October 7, 1845; Francis M., born June 17, 1848; Thomas Jasper, born October 23, 1850; John William, born September 29, 1852; Mary Ann, born February 20, 1855; Martha Ellen, born November 18, 1857; George Alfred, born June 2, 1860.

Amos G. Cole. Born in Onondaga county, New York, November 20, 1825, where he was educated. At the age of nineteen years he went to Syracuse and apprenticed himself to the mason's trade, and worked at it until 1852, in which year he sailed for California from New York City, arriving in the month of June at San Francisco, after having suffered shipwreck on the coast of Mexico, by which much delay was caused, the passengers, who were all saved, having to journey on mule back to Acapulco, a distance of one hundred miles from the scene of the disaster, where passage was taken on board the ship *Northern Light*. Mr. Cole proceeded direct to

the mines, but in November of the same year returned to the Bay City and worked at his trade. In 1856 he once more tried his luck at the mines which he abandoned in the Fall of 1869 and came to Santa Clara county, taking up his residence in Gilroy, where in 1871 he established his brick-kiln situated to the north-west of the town. He married, August 18, 1861, Augusta Wolters, a native of Bremen, Germany, and has: Sterling L. born May 13, 1865; Almina, born June 27, 1868; Augusta, born April 20, 1872; Amos W., born June 6, 1879.

John A. Cottle. Born in Windsor county, Vermont, May 9, 1812. When six years of age he was taken to Lincoln county, Missouri. He was educated in St. Louis, St. Charles, and Troy. Save two years during which he was engaged as a clerk in Galena, Illinois, and in the lead mines of Wisconsin, just across the line, Mr. Cottle resided in Lincoln county until he came of age. At that epoch in his life he proceeded to Quincy, Illinois, and there dwelt for five years, after which he located in Wisconsin. In 1850 he crossed the plains to California, and soon after engaged in the stock business in Peach Tree valley. In the Fall of 1854 Mr. Cottle returned to the East, but recrossed the plains in the Spring of the following year with a band of stock which he drove into Santa Clara county, arriving at San José September 20, 1855. These he moved into Gilroy township and after keeping them there for two years transferred them to Peach Tree valley. Five years thereafter he sold his stock and commenced agriculture, but at the end of six years more he discontinued this occupation and purchased an interest in the Gilroy Hot Springs. Married, firstly, September, 1837, Julia E. Stone, a native of Troy, Lincoln county, Missouri, who died in the Winter of 1850; and secondly, Priscilla Cottle in 1852, who died in 1862. He married his present wife Cordelia Cottle, a native of St. Charles county, Missouri, in 1864, his only surviving child being a son by his first wife, named Henry Edward, born in September, 1839.

Caleb Brown Crews. Born in Boone county, Missouri, in the year 1834. When a mere child he lost his parents and was reared by his brother Randolph, who moved to Henry county in 1845. Here the subject of this sketch was educated and brought up a farmer. In 1852 he crossed the plains to California, arriving at Belmont, in September of that year. He immediately proceeded to Mokelumne Hill where he was employed on a farm until 1853; he then came to Santa Clara county, located at Mountain View and commenced teaming, but afterwards embarked in farming and stock-raising which he continued until 1864; he then purchased the one hundred and thirty acres in Gilroy township known as the Ortega Homestead, on which he now resides. Married, June 28, 1860, Mrs. Emeline

Thomas, a native of Jackson county, Missouri, by whom he has: Henry P., born March 31, 1861; William J., born June 1, 1863; James Newton, born September 25, 1865; Carrie, born January 1, 1869; Charles, born December 15, 1871; Marion, born June 13, 1874; Elner and Elton (twins), born April 7, 1877; George, born May 9, 1881. The children by the first marriage of Mrs. Crews are: John W., born September 22, 1853; Eliza Jane, born March 8, 1857; Ellen Frances, born March 1, 1859.

J. D. Culp. Born in Monroe county, New York, November 17, 1839, and received his education in Rochester. In the year 1856 he located in Floyd county, Iowa, and there raised a crop of tobacco, but it being of sickly growth, he decided to make a like attempt in California. In 1858 he crossed the plains to this State and after prosecuting a rigorous search for suitable soil, in 1859 fixed upon Gilroy as the place wherein to essay the trial. After experimenting for sometime, in 1862 he erected a factory two miles west from Gilroy, but in 1865 it was unfortunately destroyed by fire. Mr. Culp next, in 1869, built another factory in the city of Gilroy on the corner of Church and Rosanna streets; this he sold in 1871, and moved to its present location, a portion of his grounds being situated in Santa Clara county, the buildings, however, being in San Benito county, near San Felipe. Too much credit cannot be accorded to the subject of our sketch for the persistency with which he has grappled with the many obstructions allied to the business of tobacco culture. At last he has received his reward. His establishments are most complete in detail; his fields are laid out with every regard to the protection of plants; and his surroundings are a credit alike to his enterprise and acumen. To him is the honor of establishing this one more proof of the marvelous adaptability of California soil for almost any kind or class of cultivation. Mr. Culp married, in 1865, Jennie E. Duncan, a native of Iowa, by whom he has had five sons: James J., born March 15, 1867; George E., born December 2, 1869; Cornelius A., born November 5, 1871; Charles H., born April 15, 1874; Richard D., born August 22, 1879.

Albert Dexter. The subject of this narrative, whose portrait appears in this work, was born January 23, 1809, in Royalston, Massachusetts, and there resided, save two years passed in Boston, until he grew to man's estate. His father, Ebenezer W. Dexter, was a well-to-do farmer of that State, and as such his son was reared. Commencing with the year 1829, Albert Dexter made two voyages on a whaler, the last as third mate, the cruise lasting three years and a half. At this period he had attained well recognized skill in the throwing of a harpoon. The eight years following his leaving the sea he spent in Posey county, Indiana, where he engaged in the manufacturing of wheat fans and furniture, in company with his brother

Simon, who died there. Here our subject unfortunately failed in business, and, paying his debts like an honest man, with the small sum of thirteen dollars—all that remained to him in coin—he started on foot to St. Louis, and there worked as a mechanic for four years, and built the first omnibus that was used in that city. In 1846, he constructed a wagon, and in the Spring of the following year, with a cavalcade of ninety others, started to cross the plains to Oregon, where he was, on arrival, engaged by the Hudson Bay Company for two years. In 1848, being fired by the discovery of gold in California, he proceeded thither, and essayed mining on the American river for one year. While here, a party of nine men—his friends—were suddenly attacked by Indians, and seven of the number brutally put to death by the savages and their mutilated bodies cast into the river. On the catastrophe becoming known, a band of twenty-two (our subject being one of them) was organized, and went in pursuit. They traced the savages to their lair in a deep gorge in the mountains, where they were surprised, and a full vengeance wreaked upon the murderers. The entire band was shot except five men, two squaws, and a couple of children, who were taken prisoners back to Sutter's mill. Here they attempted an escape, in which four out of the five remaining red-skins were killed, their chief, unfortunately, making good his escape, but he afterwards, it was learned, met his death at the hands of some miners who captured him while meting out punishment to the women of the tribe, who had informed upon him. Mr. Dexter considers himself fortunate that he was not with his hapless comrades. He was at the time acting as preceptor to a party of Oregonians, who had but lately come to the mines, on the bar at the mill. To this lucky circumstance he doubtless owes his life. In the Winter of 1849 he proceeded to the Western States, but returned in the following year with a drove of cattle, and his family, and arrived in Santa Clara county, in the Fall, and settled close to the town of Santa Clara, where he carried on a dairying business for four years. We next find him engaged for two years in mercantile pursuits, in Redwood City, San Mateo county, at the same time conducting a farm, for which he paid three thousand dollars, and afterwards sold to Thomas H. Selby for eleven thousand dollars. May 9, 1867, he settled on his present estate of seven hundred acres, on which he has resided ever since. He also owns a stock ranch in the mountains. Mr. Dexter married, March 12, 1850, Ellen Davis, a native of Ross county, Ohio, by whom he has: Wheeler D., born July 4, 1853; William H., born September 27, 1855; Albert L., born January 31, 1859; Otis L., born January 28, 1861.

Jacob Doan. Born in Clinton county, Ohio, September 17, 1828, receiving his early education in the schools of the Society of Friends, and

finishing his training at Springfield Academy, afterwards studying medicine under Dr. Davis. In 1850 he crossed the plains to California, arriving in Sacramento the day the State was admitted into the Union. After a short stay in that place, he proceeded to the mines in Calaveras county, and prosecuted his search for gold, at Memphis and Douglas Flat, for five years. By this time he had saved about five thousand dollars, with which he came to Santa Clara county, and invested in his present farm comprising two hundred and ninety-three acres, in April, 1856. He was elected Justice of the Peace for Gilroy township, in 1868, an office he held for four years. He married, November 21, 1854, Mrs. H. J. Whitney, a native of Wisconsin, and has: Francis I., Walter C., Clinton W., Agnes C., Jacob N., Hattie Grace, and Helen Dot, all of whom first saw the light under the homestead roof that now shelters them.

Peter Donnelly. Born in Queen's county, Ireland. In the year 1851 he emigrated to the United States, and passed his first year in New York and New Orleans, and in 1852 came to California, arriving in San Francisco, October 5th, and there resided for eight years, being engaged in the warehouse of Dunne & Co. In 1856 he started in the dairy business on his own account, and in May, 1860, located upon his present property, purchased from Dan. Rhodes, and comprising twenty-four hundred acres. The land is situated in the Cañada de los Osas, where Mr. Donnelly farms three hundred acres, the balance being devoted to stock-raising. Married, February 22, 1868, B. A. Condon, a native of Iowa.

John Dowdy. Born in North Carolina, May 3, 1827. When young his parents moved to Indiana, where, after residing one year, they returned to North Carolina; thence they proceeded to Tennessee; and Davis county, Missouri, where the subject of our sketch received his education, and learned the art of farming. In 1854, he crossed the plains to California; came direct to Santa Clara county, and located on the tract of land now owned by Mrs. Angney. In the year 1865, he purchased the place on which he now resides, comprising one hundred and eighty-five acres. Married Mary McCary, March, 1863, who is a native of Ireland, and came to this country when an infant.

Henry Dreischmeyer. Born in Lippe-Detmold Principality, Germany, August 9, 1840, and came to the United States in 1854, having received his education chiefly in his native land. He first settled in Chicago, and resided there until 1863, when he came to California by way of the Nicaragua route, arriving in San Francisco, April 27th, of the same year. He forthwith proceeded to, and located in, the town of Santa Clara, but at the end of

two months he transferred his domicile to San José, and started as a brick-maker, an occupation he followed until he went to Gilroy, moving to his present farm in the year 1869. Married, September, 1863, Catherine Asheman, a native of Germany, and has: Henry, born June 11, 1864; Frederick, born January 1, 1866; Lizzie, born November 18, 1867, died October 21, 1868; May, born November 22, 1869; William, born May 20, 1872; Frank, born May 20, 1874.

David A. Dryden. Born in Adams county, Ohio, May 13, 1824. When about ten years old, he removed with his parents to Miami county, where he received his primary education. At sixteen years of age he was apprenticed to the cabinet-making business, in the city of Piqua, and served four years. In 1845, he entered, as a student, the Miami University, at Oxford, Ohio, and remained three years, but was compelled to leave before graduating, on account of failing health. In 1849, he joined the Ohio Conference of the Methodist Episcopal Church, and, in 1851, was transferred by Bishop Morris, as a Missionary to California. He was present at the first session of the California Conference, and continued regularly in the work of the Ministry until 1876. During this long period of service, he was stationed at many of the prominent cities and towns of the State, and traveled extensively. In 1855, he was appointed Principal of the Female Institute, then located at Santa Clara, and in 1862, was stationed pastor of the Methodist Episcopal Church at San José. Was stationed five years in Nevada City. In 1869, organized the first Methodist Episcopal Church in San Diego, and, in 1872, built the church in Gilroy, where he was stationed three years. During the last few years of Mr. Dryden's labors in the Conference, the relations between him and the powers that be, became very much disturbed and embarrassed on account of real or supposed changes in theological belief and teaching, which resulted in his retirement from the Conference in 1876. He is at present located in Gilroy, and in order to support his family, has been compelled to go into secular affairs; and at the age of fifty-seven, has returned to the cabinet and furniture business—after a lapse of over thirty years. Mr. Dryden was married, in the city of Piqua, Ohio, to Miss S. H. Raynor, a native of Nottinghamshire, England, June 6, 1850. They have had six children. Three deceased, and three still living: Luella, born March 19, 1853; Wendell Ernest, born September 15, 1862; Ermina Iva, born March 14, 1867.

Joseph H. Duncan. Born in Wayne county, Iowa, November 19, 1842, educated at University of the Pacific. Crossed the plains to California with his father, Dixon S. Duncan and family, in 1853, being five months and five days on the journey after crossing the Missouri river; arrived at San

Juan September 5, 1853, and there remained until the Fall of 1856. In that year he came to Santa Clara county and located on his present farm situated three miles west of Gilroy. Married, March 2, 1873, Angie I. Litton, a native of Mercer county, Missouri, and has: Elith V., born March 31, 1874; Edna G., born February 5, 1876; Gemma E., born July 5, 1878.

George Easton. Was born in Lanarkshire, Scotland, January 4, 1829. In 1848 he emigrated to America and took up his residence in St. Louis, where he was employed in the coal mines until 1851. In that year he crossed the plains to Utah where he resided until 1854, when he came to California and located in San Bernardino county, being there employed in hauling lumber from the mountains to Los Angeles. Here he embarked in farming operations, put in one crop, but that proving a failure, he left the district and traveled for one year. In 1856, he came to Gilroy township, and settled on his present farm, previously, however, occupying a portion of the grant next to that farm. Married, May 21, 1852, Jemima Adam, a native of Scotland, who died June 12, 1879. His issue are: Robert, born March 17, 1853; William, born December 8, 1854; Belle, born June 11, 1857; Elizabeth, born June 24, 1859; Emeline, born September 21, 1861; George, born November 25, 1863; Charles, born November 14, 1865; Alexander, born June 4, 1868.

Charles F. Eckhart. Was born in Germany, August 2, 1828. When quite young he accompanied his parents to the United States, arriving in Philadelphia July, 1835, and there remained four years. Thence they removed to West Virginia and in the Fall of 1844, proceeded to Ohio, where the subject of our sketch learned the trade of cabinet-maker. Leaving home in 1856, he went to Iowa for two years; thence to Nebraska, being one of the pioneers of that State, and in 1876 came to California, locating temporarily in San José. In January of that year, he established himself on his present ranch of one hundred and fifty acres, where he is principally engaged in fruit-growing. Married, January 31, 1850, Elizabeth Welty, a native of Ohio, and has: Ida L., born in Iowa; Clara E., born in Nebraska; Kate M., born in Nebraska; Amanda T., born in Nebraska; Charles H., born in Nebraska; Sarah H., born in Nebraska; Ettie, born in Nebraska; George W., born in California.

John Eigelberry (*Deceased*). Was born in Greencounty, Pennsylvania, December 1, 1812. At the age of ten years he was taken by his parents to Muskingum county, Ohio, and there received his schooling, and became a farmer. In February, 1852, he started with ox-teams for California in a company with William Hollister, the captain of the train, composed of fourteen

men and one female (the wife of the subject of this sketch, who gives pleasant reminiscences of this journey), and came direct to Santa Clara county, arriving at Gilroy September 28th of the same year. His first location was in a small house he erected on what is now the corner of Fourth and Eigelberry streets, where he dwelt until some five years ago, he then built a new house lower down the street, that takes its name from this pioneer, to which he removed. Married, October 10, 1837, Sophie Houck, born in Zanesville, Ohio, February 4, 1802, a former school-mate of General Sherman; has no family. Mr. Eigelberry died in the month of October, 1880.

E. Emlay. The subject of this sketch was born in Hamburg, Canada West, May 4, 1829. At the age of eighteen years he went to Detroit, Michigan, and there learned the harness-maker's trade, and finished the education commenced in Canada, by attending night-school. After a residence in Detroit of seven years, where he labored zealously at every intricacy of his art, he moved to Jackson, in the same State, for one year, and thence to California, around The Horn, arriving in San Francisco, October, 1852. To be idle in those stirring days was a thing unheard of. Mr. Emlay therefore was not to be behindhand. He started at once for Sacramento, the haven of many eager travelers; thence to Marysville where he could find no work at his trade, and finally to the mines near Shasta City where he remained for six months. We next find him working for his board at Marysville; again at Martinez, Contra Costa county, still indefatigably toiling at his calling for two years; thence to Alvarado, Alameda county, where he remained until 1869, having started a harness store with a capital of one hundred and fifty dollars and closing out with twelve thousand; and finally settled in Gilroy, where still true to his instincts, he bought outright the only harness store in the town, and still conducts it. Married, July 3, 1859, Helen C., daughter of Captain E. Farley, by whom he has: Oliver L., Harry F. and Hattie (twins), Herbert E., Lulu, Nora, Josephine, Roy.

Charles Kean Farley, M. D. Born in Montgomery county, Alabama, November 22, 1827. In early life he attended different schools in several of the Northern States, and in 1839 commenced the study of medicine under Dr. Weld, with whom he remained a year and a half. He then entered the Berkshire Medical College at Pittsfield, Massachusetts, from which he graduated in November, 1842, being at that time only twenty years of age. In the Spring of 1843 he attended another course of lectures, after which he returned to Alabama and commenced practice, which he continued until he left for California. January 26, 1849, he arrived in San Francisco and lost no time in finding his way to the mines, but not finding them "after his own heart" he returned to the Bay City, and entered upon the duties of his pro-

fession, continuing there during the Winter of '49 and '50. He then once more essayed his fortune at the mines, and finally in the Fall of 1850, in company with his brother, entered upon a tract of land near Marysville, Yuba county, where the doctor farmed for one year. In the month of November of the following year, the subject of this sketch returned to the Eastern States, entered upon the practice of medicine at Cahaba, Dallas county, Alabama, stayed there from January, 1852, until January, 1866, and then moved to Summerfield, principally on account of the educational advantages possessed by that place. Here he remained until the Winter of 1868, when he again turned westward to California. After remaining for six months to the north of the San Joaquin, he ultimately settled in Gilroy, Santa Clara county, in April, 1868. Married, December 27, 1846, C. C. Greene, a native of South Carolina, by whom he has: Mary E., now Mrs. J. W. Allen, of Tulare county; Sallie M., now Mrs. J. W. Lovell; Georgia S., now Mrs. G. H. Williams; Susan I.; Cornelia M., and Charles.

Truman Farman. Born in Oneida county, New York, March 16, 1801. When a mere child his parents emigrated to New Haven, Oswego county. In the year 1837 we find him in the southern part of Wisconsin engaged in farming. This State he left in 1842, and proceeded to Hebron, McHenry county, Illinois, where, although a Republican, and the administration Democratic, Mr. Farman was Postmaster for a number of years, notwithstanding several attempts were made to oust him. He came to California via Nicaragua and landed at San Francisco, February 3, 1856, proceeding to Gilroy three weeks after. Here he located on a farm a mile and a half from the town and engaged in ranching until 1869, when he moved into the town and built himself a home. Mr. Farman owns a considerable quantity of town property. Married, November 20, 1823, Cerene Perkins, a native of Williamston, New York, who died May 19, 1875, by whom he had nine children, all being dead but two: Lucinda A., Sarah A., Alty C., Seth M., Weltha A., Sabrina A., Evander O., Fernando R., and George P.; married secondly, July, 1877, Mrs. E. B. Scott, a native of Ohio.

Asa Ferguson (*Deceased*). Of English descent, and whose paternal ancestors originally settled near Harper's Ferry, Virginia, was born in North Carolina, June 14, 1805. About the year 1811, his parents moved, by way of the "Cumberland Gap" route and Kentucky, crossing the Ohio river at the village of Cincinnati, to the new territory of Indiana. During the first two years the colony of pioneer families experienced the usual hardships incident to border life, and were kept in a nervous state of alarm by hostile Indians; and for mutual safety the women and children were often crowded into "the Fort," or wooden stockade, while the able-bodied men were engaged in clear-

ing and cultivating the land, or skirmishing with "Proctor's allies." After a residence of fifteen or sixteen years in Indiana, Mr. Ferguson removed to Vermillion county, in the new State of Illinois, and erecting a "round-log-cabin" on a quarter-section of Uncle Sam's generous domain, once more engaged in farming and stock-raising. In the year 1832 the Asiatic cholera made its first appearance in Northern Illinois, while the celebrated Indian chief, "Black Hawk," added to the excitement by raiding on the exposed frontier settlements. In this miniature fight, Mr. Ferguson as a volunteer "high-private," served with zeal until his regiment was disbanded by General Atkinson. Soon afterwards he grew weary of devoting so much hard labor in turning the "prairie sod," attended with so little pay, and engaged extensively in buying droves of cattle in Southern Illinois and Indiana and driving them north to the new territories of Wisconsin and Michigan, and to the then diminutive towns of Chicago, Detroit, and the embryo village of Milwaukee City. An old French trader or trapper and his Indian wife had just sold a tract of land—the present site of this beautiful and flourishing city—and Mr. Ferguson was among the first to speculate in the lots then being offered. He, with many others, was seized with this speculative fever, and soon acquiring a handsome little sum proceeded, in 1836, to New York City to purchase a stock of goods. While there he was advised by "older heads" to close out the remainder of his Milwaukee and Chicago lots, contract his business and prepare for a financial "crisis" that would soon shake up and sweep over the entire north-western country. Upon his return to Chicago and Milwaukee he was prompt to follow this advice, closed out in time to save a little, and returned to Vermillion county, Illinois, where he engaged in merchandising and farming until 1839, when he removed to Cape Girardeau county, Missouri. He was quite prosperous in this new location, and his independent spirit and untiring energy prompted several old settlers on one occasion to inquire of him if he was not a "Yankee." He assured his inquisitive friends that he *was*, though *minus* the "blue streak." In the Spring of 1847 his business had so expanded in several States as to justify his removal to the city of Philadelphia, where he remained until 1850, meanwhile actively engaged in the commission and mercantile business. In the Spring of 1854, owing mainly to ill-health, he was induced, though at a pecuniary loss, to cross the plains with an outfit and drove of cattle bound for California, hoping the overland journey and a new climate would materially benefit his health. He arrived at San José in October of that year, where he resided until the following year, when he settled at Gilroy and located on the tract of land now occupied by his two sons, J. L. and M. L. Ferguson. He died November 11, 1863, and is buried in Oak Hill Cemetery at San José. Mr. Ferguson was married, October 2, 1828, to Parthenia S. Anderson, a native of Madison county, Kentucky. She was born July 15,



William Pennant



1807, and still survives and is in the enjoyment of excellent health. When a mere child her parents became so imbued with anti-slavery sentiments that they sold out their "Old Kentucky Home" and removed to the new and free territory of Indiana. Mrs. Ferguson's ancestors were of the hardly "Scotch-Irish, Presbyterian colony" that settled at a very early day in Augusta county, Virginia. Her family now consists of seven grown children.

Spencer P. Fine. Born in LaFayette county, Missouri, May 13, 1836, and there received his early education. In 1854 he came with his father to California, crossing the plains with a drove of cattle, and located first at Mayfield, Santa Clara county. In 1856 he settled with his father on his present property; in 1857 he conducted a grazing ranch in the mountains, where he continued until the drouth of 1864, when he returned to his homestead and has since resided thereon. In July, 1859, he returned to the East, and in December entered Jones' Commercial School, there completing his education, being, however, obliged to leave on account of ill-health before the time of graduating. In June, 1860, he returned to this county, and has since been engaged in farming. Married, May 13, 1868, Maryline McCutchen, a native of California, by whom he has: Spencer, born February 26, 1870; Lidgard, born May 22, 1872; Milbra, born July 16, 1874, died November 17, 1880; Ada, born January 20, 1878; Bertie, born August 26, 1880.

James Fitzgerald. Was born in Canada, June 1, 1840, and is the eldest son of Patrick and Johanna Fitzgerald. In his native place he received his education and was raised a farmer; in 1851 he started to California, arriving June 18, 1851; he came direct to Santa Clara county, located in Gilroy township on the ranch of eleven hundred acres he now occupies, and there resides with his aged mother. His father died in Canada, August 26, 1849. The subject of this sketch attended the Santa Clara College in the year 1852, where he finished his education. Is unmarried.

John S. Fitzgerald. Youngest son of Patrick and Johanna Fitzgerald, born in Canada, May 24, 1848. His father died August 26, 1849, and in 1851 his mother and family emigrated to California, *via* Panama, landing in San Francisco June 18, 1851. The family settled at once in Gilroy township, Santa Clara county, where the subject of this sketch has ever since resided; here he received his education, finishing with a term at the Pacific Business College, San Francisco, in 1870. He married, February 5, 1872, Mamie M., daughter of Captain Gray, by whom he had two children: John, born December 7, 1872; Frances, born August 8, 1874. Mrs. Mamie Fitzgerald died March 4, 1872. On August 13, 1879, he married Louisa, youngest daughter of the late Dr. Diezmann, of Graytown, Central America, and has: James, born May 18, 1880.

Patrick Fitzgerald. Born in Canada, April 18, 1843. In 1853, when ten years old, he accompanied his parents to California, and, traveling *via* the Isthmus of Panama, arrived in San Francisco in June of that year. He came direct to Santa Clara county; located in Gilroy, where he was educated and grew to manhood. His first employment was herding cattle, and working on a farm. In 1875 he embarked in the livery business in Gilroy, in partnership with his brother William, in which occupation he is now engaged. Married, January 30, 1881, May A. Fitzgerald, a native of California.

William Fitzgerald. Born in Frampton township, Canada, April 14, 1845. At the age of eight years he came to California, with his parents, *via* the Isthmus of Panama, arriving in San Francisco June, 1853. The family coming direct to Santa Clara county, they located in Gilroy township, where Mr. Fitzgerald Sr., followed farming for several years, our subject being reared a farmer. In 1875, with his brother Patrick, he engaged in the livery business in Gilroy, which they now conduct. Married, April 21 1879, Margaret Cullen, a native of Canada, by whom he has: Mary Kate, born March 27, 1880.

Charles François. Born in France, March 20, 1819. In the year 1855 he emigrated to the United States, and, after residing in New York for nearly six years, came to San Francisco, where he arrived November 26, 1861. There he remained until he located on his present farm of one hundred and eighty acres, October 1, 1867. Mr. François has twenty-five acres of a vineyard. Married, September 13, 1853, Adele DeVaux, a native of France, who was born January 3, 1833.

W. N. Furlong. The subject of this sketch is a native of Canada, having been born there March 21, 1836, but losing his parents at a very tender age he was thrown upon his own resources. The early part of his life was spent in New York City and New Jersey, and finally settled in Philadelphia where Mr. Furlong received his scholastic training and acquired the carpenter's trade, but his keen foresight having showed him there was in the broad and beautiful occident a destiny that only required the hands of industry to consummate, he bade farewell to the quaint old Quaker city on December 1, 1858, and being "cribbed, cabined and confined" for a space on board the steamer *Golden Age*, landed in California on the 28th of the same month. At the end of two months' toil, and obtaining an insight into the *modus operandi* of the trade on the coast, we find Mr. Furlong developing into a Contractor, in addition to the cares of his bench. Eight years of these undertakings having expired, he next engaged in the lumber trade for four years in partnership with William Hanna, at the same time having

some transactions in real estate. In the year 1868 we find he has sold his lumber interest and bought into the Hollister Homestead Association, but soon disposing of his share in that enterprise he embarked in real estate operations in Oakland, Alameda county, being at the same time interested in the Bank of Gilroy. In 1874, he retired from these affairs. It is not alone as a man of commercial enterprise that Mr. Furlong's ability has been recognized, for in the year 1871 he was elected to the responsible position of Supervisor for District No. 3, by an overwhelming majority, and served for two terms of four years each. In addition to the onerous duties consequent on this exalted position, he filled the Mayor's Chair in the City of Gilroy from the years 1874 to 1876. Mr. Furlong is now engaged in farming and stock-raising on his property comprising six hundred acres, whither he moved in January, 1879. Married, December 5, 1861, Mary E. White, a native of New Orleans, born September 6, 1839, who came to the Pacific coast on her way to Oregon in 1843, by whom he has: Albert W., born June 9, 1863; Mary Caroline, born June 11, 1867; George Washington, born February 22, 1870. We cannot conclude this slight biography of Mr. Furlong without recording that in all his relations as private citizen and public officer, he has ever maintained the character of an exemplary man, whose efficiency is unquestioned and whose integrity is above suspicion. Mr. Furlong was elected, February 28, 1876, Supervisor for the Seventh District, when the county was redistricted.

Laban H. Gruwell. Born in Fayette county, Indiana, March 5, 1816. Accompanying his parents when eleven years of age to Quincy, Illinois, he was there educated and resided for the following seven years. When at eighteen he was employed in the office of the County Sheriff as collector, being made a deputy one year later. This position he held four years when he moved to Carthage. In the year 1836 he moved to Van Buren county, Iowa, where he was Deputy Sheriff for two years, and in 1852 crossed the plains to California, first locating near San José, Santa Clara county, on the 14th of October of that year. For the first two months Mr. Gruwell kept a boarding-house; in the Spring of 1853 he purchased a ranch near Santa Clara which he occupied until 1862, farming also during this period in Amador and Napa counties. In the last-mentioned year he left Napa and took up his domicile in Santa Clara county, where he engaged in stock-raising on a farm of four hundred acres; in 1864 he disposed of his ranch and removed to Lake county where he dwelt until the Fall of 1870 when he returned to Santa Clara. In 1875 Mr. Gruwell moved to San Luis Obispo and there conducted a hotel for two years; for two years more he was engaged in the dairying business; when, owing to the failure of his wife's health he returned to this valley, purchased a farm near Gilroy, where he has since resided. Mr.

Gruwell was Deputy Sheriff in Napa county during the year 1858. He married, November 16, 1837, Eliza Jane Wilson, a native of Kentucky, and has: Amanda M., born September 15, 1838; Jacob O., born December 23, 1840; Ann, born February 24, 1842; Joseph W., born May 14, 1844; Jenette, born March 24, 1847; Ruth A., born July 21, 1849; Jemima M., born March 3, 1852; George W., born April 1, 1854; Charles L., born July 30, 1856; Betty, born November 21, 1858; Laura, born March 9, 1861

Hon. William Hanna. The subject of this sketch was born in Union county, Indiana, August 5, 1812. When twenty-two years old he moved to Warren county, Illinois, where he engaged extensively in farming and stock-raising. Owing to failing health he sold his possessions in Illinois and in December, 1859, sailed with his family by way of Panama for the more mild and health-giving climate of California, arriving in San Francisco January 9, 1860, from whence he came direct to Gilroy, where he has since resided. Mr. Hanna belongs to an ancient and honorable family, many of whom shed their blood in the cause that gave us a free and happy republic. He was married, December 14, 1848, to Rebekah Cresswell, daughter of General Samuel Cresswell of Ohio, by whom he had nine children, five boys and four girls, four of whom are dead and five living. Mr. Hanna soon after arriving at Gilroy engaged actively and extensively in the lumber business, and to him more than to any other member of that community, belongs the honor of the rapid growth and symmetrical homes of the beautiful little city of Gilroy. No deserving man ever sought his help to build a house for himself and family in vain. No man stands higher or is more beloved by the community, and is justly renowned for his unsullied morals, his rigid integrity and his high sense of honor. He has served the city of Gilroy in the capacity of Councilman and Mayor and was elected by a large majority of the citizens of Santa Clara county to the Legislature in 1877, whom he represented with his usual conscientious uprightness, always casting his vote in favor of justice, and against corruption and frauds. Few men are better informed on governmental and scientific subjects than Mr. Hanna, he being an ardent and devoted student of the latter. He is the inventor and patentee of two improvements in mechanism which bid fair to revolutionize steam propelling power on land and sea. Though strong, physically and intellectually, he is now in the sere and yellow leaf of life and has retired from the active cares of business pursuits, and lives in the peaceful repose of a happy home, surrounded by devoted children where he can serenely review a life spent without a stain to sully or a blot to mar its escutcheon.

William Hartshorn. Born in Pendleton, Lancashire, England, in April, 1817. In the year 1848 he emigrated to the United States, first set

tlings in St. Louis, where he engaged in coal mining for two and one-half years. He then went to Salt Lake and passed the Winter and Spring. Carson Valley was his home until 1856, in which year he came to California. Mr. Hartshorn and family arrived in Gilroy November 3, 1856. In a short time he located on his present property of two hundred and fifty-five acres, situated five miles west of Gilroy. Married, February 3, 1842, Sarah Bowen, a native of England, who was born in 1819, and has: M. E., now Mrs. John D. Burns, born October 31, 1859, in St. Louis, Missouri; and M. J., born August 23, 1855, in Carson Valley, Nevada.

Adam Herold. Was born in Bavaria, Germany, February 13, 1842. Arrived in New York, February 7, 1869, and soon after proceeded to Buffalo, but remaining there only four months, came to California where he arrived July 3d, of that year. He was first employed for four months on a farm in Contra Costa county; he then came to Santa Clara county, but left in 1872 and conducted for five years a public house on the Pacheco Pass road. Mr. Herold next came to Gilroy, bought the Gilroy Brewery, and has since been its proprietor. Married, in 1869, Clara Rosa Brown, a native of Germany, by whom he has: Rudolph, Eugene, Matilda, and Oscar.

P. C. Hodges. Born in Surry county, North Carolina, July 19, 1825, where he resided and was educated. When twenty-two years of age he took up a residence in Jackson county, Missouri, and there remained for some four years. May 9, 1852, he started across the plains for California and arrived in Napa county, November 28th, of that year, where he remained for eleven months, at the expiry of which he removed to Santa Clara county. Locating in the vicinity of San José, he followed the occupation of a teamster, for the most part, until 1867, in the Fall, when he transferred his residence to Gilroy township. In the Spring of 1869, in partnership with Mr. Whitehurst, he erected a saw-mill in the French redwoods where they jointly own two thousand seven hundred and fifty acres of timber land. Mr. Hodges married, December 4, 1870, Judith Franklin, a native of North Carolina.

Milton T. Holsclaw. This worthy pioneer was born in Howard county, Missouri, July 12, 1827, where he received a limited education, and learned the blacksmith's trade with his father, who carried on that business in connection with farming. He is the eldest of fourteen children, ten of whom lived to man's estate. Mr. Holsclaw joined the Christian Church, August 23, 1849. In company with his brothers, Clifton D., and James P. Holsclaw, the subject of our narrative, left his native State to cross the plains for California, arriving at Diamond Springs the 9th September of that year. Here they erected the second house in that place, established a pro-

vision depot and made it their headquarters, also engaging in mining in the Martinez and Weber creeks, finally moving, in January, 1851, to the middle fork of the Cosumne river, where they were successful, until April 1st, making from forty to fifty dollars a day per man. At this time Mr. Holsclaw's two brothers joined the forces sent to meet the Indians, while our subject proceeded to Sacramento City, where, purchasing a wagon and team, he commenced freighting to Grass Valley, Yuba, and Placerville. In the month of June he laid in a stock of provisions, and, proceeding to Shasta City, sold them, but so bold were the natives that he had to stand guard over his mules in the very heart of the town. He then returned to Sacramento, after a rapid march from fear of Indians, and there, on July 3d, once more joined his brothers. The National Holiday they passed in that city, and on the day after started southwards, visiting Stockton, Livermore Pass, Mission San José, San José City, and finally arrived at Gilroy, August 2, 1851, determining there to make their home; his brother, J. P. Holsclaw, and himself being the two first members of a Protestant Church to locate there. Here they kept open house to members of all Christian denominations, the first arrangement of the South Methodist Church in the district being organized there in 1853. In September, 1851, he started the first blacksmith shop in Gilroy. In 1852, the Holsclaw brothers raised the first crop of wheat in the Gilroy District, which they conveyed to Alviso and sold at eight cents per pound. In the following year they added barley to their productions, and manufactured some flour, which they disposed of in a radius of thirty miles, on credit, to all that wanted bread. The honesty of the settlers is fully borne out by Mr. Holsclaw's statement that out of six thousand dollars' worth of produce thus sold, he lost only sixteen dollars. In 1854 he moved on to the farm now occupied by Hon. T. R. Thomas. In 1854-5 he was Constable of Gilroy township. In 1856 he sold his farm, and moved to the tract now occupied by Mr. Graff and Frank Smith. This he disposed of, in 1858, and moved to the lot on which the railroad depot now stands. In 1859 he disposed of this property, and built the house now occupied by D. Hildebrand, and there resided until he purchased, in 1860, a farm near that of D. Zuck, where he dwelt until 1867. In 1868, selling his land, he embarked in the sheep business, and moved his family to the town of Gilroy. In 1872, disposing of this last enterprise, he purchased the property known as the Homestead tract, where he now resides. In 1875 he sold his town property, and took up his residence on the farm. Mr. Holsclaw married, February 11, 1855, Mary Ann Zuck, a native of Marion county, Ohio, by whom he has had ten children. Of these, the following are now living: William B., born March 6, 1860; Florence Mabel, born November 28, 1871; Gracie Ellen, born March 16, 1874.

M. E. Hunter. Born at Salem Hill, now known as New Salem, Franklin county, Massachusetts, April 25, 1841. Moved to Montague, Massachusetts at an early age, and there received his preparatory schooling. At the age of sixteen was apprenticed to the watchmaker's trade, in Boston, Massachusetts, where he resided until the breaking out of the Rebellion, at which time he enlisted for three months. Again enlisted in the Fourth Massachusetts Cavalry, for three years. At the fall of Charleston, South Carolina, was commissioned, at the request of Brigadier General A. S. Hartwell, and was immediately appointed to a position on the General's Staff, and at the time of being mustered out, was holding the position of A. A. C. S. of Brigade, at Orangeburg, South Carolina. In 1865, and for two years thereafter, he was working at his trade in Chicago, Illinois. February 23, 1868, he arrived in San Francisco, California, and in May of same year located in Gilroy, Santa Clara county, where he has since resided, working at his profession, and dealing in watches, jewelry, books, etc. Married, February 7, 1864, Lavinia A. Wilson, of Marlborough, Massachusetts, by whom he has had three children, one, Lizzie C., born November 29, 1863, now living.

Hugh Stephenson Jones. The subject of this biography, whose portrait appears in this work, is a native of Madison county, Kentucky, where he was born, January 9, 1832. When quite young, his parents moved to Monroe county, Missouri, where they resided until they left for the Pacific coast. On March 10, 1849, they commenced the arduous undertaking of crossing the plains, by the southern route, to California, and arrived at San José, in the following January. After remaining there some months, they proceeded to Merced county, but, staying there only a short time, came back to Santa Clara county, in the township of which name, the father, William Jones, took up a tract of land. Here Mr. Jones, Senior, farmed until his death, in October, 1865. In 1852-3, the gentleman now under notice, attended the old brick school, in Santa Clara, where he finished his education, and, in 1854, returned to Monroe county, Missouri, *via* Panama and New Orleans, and married, in Bowling Green, Pike county, Missouri, March 22, 1854, Mary F. Blaine, a native of Virginia, who died August 17, 1863. May 1, 1854, Mr. Jones once more came to California, by way of the plains, bringing with him a drove of cattle, and came direct to Gilroy township, where he has since been interested. He is the owner of a farm of six hundred acres, and a fine mountain range, about three miles east of Gilroy, on which he is principally engaged in stock-raising. Mr. Jones has held the office of School Trustee of the San Ysidro district for ten years, and has been a member of the Masonic order since 1857. Married, secondly, Henrietta Freeze, a native of Germany, January 1, 1872, by whom he has: Lee, born, June 1, 1873; Maud, born,

August 31, 1875; George, born, October 6, 1877. The children by his first marriage are: Corinne, born May 17, 1856; Henry, born November 29, 1859; William, born April 12, 1861; Charles, born July 9, 1863.

Thomas Kickham. Born in Ireland, in the year 1839. When nine years of age, he emigrated to the United States with his parents, and settled in Susquehanna county, Pennsylvania, where he remained three years; thence he proceeded to Louisiana; from there to Texas, for eighteen months; and finally to New Orleans, where he remained until 1849, in which memorable year he came to California, by way of Panama. After a six months' stay in San Francisco, Mr. Kickham proceeded to the mines in Calaveras county, where he was located for the chief part of seven years. In 1862, he arrived in Santa Clara county, and embarked in stock-raising near San Felipe, but afterwards moved to the Cañada de los Osas, and, in 1878, settled on his present property. Married, in 1872, Margaret Redmond, a native of Canada, and has: William J., born in June, 1877.

Julius Martin. The subject of this sketch, among the earliest of the argonauts of the Pacific coast, was born in Stokes county, North Carolina, January 2, 1804. He resided in his native State until the year 1837, save two years passed in Port Gibson. In the year 1825 he entered the German-town Academy, where he acquired a sound knowledge of the classics, preparing himself for West Point. Afterwards he visited the prominent localities of the Southern States, and finally engaged in trading. In the year 1837 he moved to Missouri, and there resided until 1843. In the meantime that well-known pioneer, Joseph Childs, of Napa, had come to California in 1841, and being delighted with the beauty of the country and its genial climate, returned to Missouri in the following year, and gave the most glowing descriptions to his former acquaintances. Among these was Julius Martin. He at once determined, with his wife and three little girls, to accompany Childs on his return. This party, consisting of thirty male adults in all, besides six females (including Martin's children), left Independence in May, 1843. They journeyed slowly for some ninety miles, when they struck the Kaw river, and there found a large emigration for Oregon, with ninety-five wagons, and about twelve hundred men, women and children. There they found Peter H. Burnett, first Governor of California; J. W. Nesmith, some time in Congress from Oregon; Samuel J. Hensley, Major Redding, and many others, whose names are "familiar in our mouths as household words." The whole party remained on the Kaw three days, then, crossing the stream, journeyed onwards. At the south fork of the Platte they all met, but were four days in crossing its turbulent waters. All went well, and at last Fort Laramie was reached. A few miles west of this point they met the cele-

brated mountaineer, Joe. Walker, on his way to the fort with furs. Here he was engaged by the party for California as guide, and, true to his word, he afterwards overtook them at Independence Rock. From Fort Bridger this latter party diverged to the south in search of game. They encamped at the head of Bear river, where they found elk and other luxuries, and at Fort Hall, those bound for Oregon bade adieu to their friends for California. Twenty-seven miles west of Fort Hall, on Snake river, our friends for this country turned to the south. Majors Hensley and Redding, Joe. Childs, and a few others, proceeded in advance, with pack-animals, with the view of reaching Sutter's Fort, there to procure provisions and return to the train. They scaled the Sierra Nevada successfully, and were soon welcomed by the noble-hearted Sutter. Meanwhile, the small party, with their six wagons, were journeying down by the Humboldt, then called the St. Mary's river. They encamped at the sink of the Humboldt for eight days, but no return party appeared. Snow had fallen to such a depth on the mountain that Major Hensley could not possibly get back. So Joe. Walker led the little party due south, and made Walker's (then Mono—now known as Owen's) lake. Here they burnt their wagons, and buried castings, saws, and other articles, which they designed for a flour and saw-mill in California. Provisions were very scarce. Making pack-saddles, they journeyed necessarily with speed. They had to kill one mule for subsistence; traveled through Walker's Pass, and ultimately reached Four creeks, at the site of the present town of Visalia. Thence, by every point of the compass, hunting for game, and at length reached Sobrianos, on the Salinas, near the Mission of Soledad. In the month of December, 1843, Mr. Martin and his party arrived safely at San Ysidro (Old Gilroy). Here he remained until 1850, when he moved to his present residence, about a mile from the new town of Gilroy, where he has since resided. Some twenty years ago he was deprived of his sight. Here let us repeat the picture of this worthy man, which, though drawn seventeen years ago, is still a faithful portrait: "Never more, oh, never more can he behold the beauty of this earth on which he has dwelt so long, nor the blue, blue firmament above, with all its shining glories. Sitting by his side, as I *have* frequently, listening with delight to his many reminiscences; many a silent tear of affectionate sympathy has fallen upon his warm hearth, when thinking of this terrible affliction, and looking at his 'sightless eye-balls.' Yet, he seems as cheerful as when I knew him long ago, with the keen, piercing eye, whose aim with the rifle had been certain death to very many a buck and grizzly bear. His sense of hearing is very acute, for a leaf could hardly fall on the floor without being heard. His memory is somewhat wonderful, for he instantly recognizes a friendly voice, not heard for many long years. His sense of touch is exquisite, and you would certainly be astonished to see him, totally blind, guiding me, in the dark, as

though by instinct, around his premises. I recollect, about three years ago, (that would have been in 1861,) his taking me over his extensive ranch, never stumbling, but walking with confidence and unerringly to the different gates and bars in his fence. A warmer heart than that of Julius Martin never throbbed upon the earth. He is a man of fine education, is an excellent linguist, and paces to and fro, repeating, occasionally, with fluency, passages from Virgil, and often from the Greek." Such is this hearty and much respected pioneer; long may he live. Mr. Martin married, December, 1839, Elizabeth McPherson, a native of Roane county, Tennessee, by whom he has: Mary E. now Mrs. P. B. Tully; Arzelia A., now Mrs. A. Lewis; Martha R., now Mrs. F. Oldham; Susan, now Mrs. D. H. Bartlett; Georgie, now Mrs. James F. Johnson; Julia F., now Mrs. Charles Hornback.

Samuel T. Moore. Born in Dade county, Missouri, March 10, 1849. In the year 1853, he crossed the plains, with his parents, and first located at Gold Hill, El Dorado county, California, but, in 1858, they moved to Sonoma county, where the subject of this sketch was educated, and grew to man's estate. After completing his scholastic training at the Cumberland College, he engaged in school teaching, in Sonoma and Merced counties, for five years; then he embarked in merchandising, in San Benito county, from 1873, to 1878, in which latter year he came to Santa Clara county, and purchased the farm, of one hundred and eighty acres, on which he now resides. Married, June 17, 1873, Elizabeth Dryden, a native of Missouri, by whom he has: Oscar, born August 12, 1874; Lucille, born June 21, 1876; Fannie, born April 23, 1880.

H. C. Morey, M. D. Born in Oneida county, New York, August 15, 1829, but, at the tender age of four years, he accompanied his parents to Huron county, Ohio, where they located. When thirteen years old, he went to Fulton county, Illinois, where, in 1849, he commenced the study of medicine, and practiced during 1851, attending his first lectures in 1852, at the Rush Medical College, Chicago. In the Spring of 1854, he graduated and commenced practicing in Geneseo, Illinois. For the benefit of his health, Doctor Morey came to California, in the Spring of 1857, but shortly thereafter proceeded to Oregon, and finally, in 1859, went to Rock Island, Illinois. In the year 1861, however, the doctor once more crossed the plains for the Pacific slopes, arriving at Knight's Landing, Yolo county, and there practiced until August, 1867, when he came to Gilroy, where he has been keeping a drug-store, and following his profession ever since. Married, April 2, 1856, Malicia A. Hobbs, a native of Maine.

John Murphy. Judge Murphy was born in the north of Ireland, July

10, 1835. Early in the year 1846, he came to the United States, and settling in Boston, there attended school until 1854, with the exception of about eighteen months, when he worked in a foundry. January 29th, of that year, he set sail, from Boston to California, *via* the Nicaragua route, and arrived in San Francisco, March 4th. Mr. Murphy at once went to Trinity county, where he mined for a year, but giving that occupation up, he commenced, first the reading, and afterwards the practice of law in that section. In 1860, he was elected District Attorney for Trinity county, and it was during this, his first term of public office, that he was called upon to assume the more potent functions of County Judge, which position he held from January 1, 1864, to January 1, 1868. The Judge was an ardent Union advocate, and as such, took the stump for Abraham Lincoln, in 1864, but the excessive fatigue and exposure of that campaign, so told upon his constitution, that he has never since entirely regained his wonted strength. In 1868, when his judicial responsibilities, on the County Bench, had expired, Mr. Murphy was compelled to seek fresh vigor in a milder climate, to Santa Barbara therefore he proceeded, and remained a year, when, finding himself sufficiently recovered to engage in business, he embarked in sheep-raising, in Monterey county, but deeming the occupation uncongenial, he disposed of his stock, and sought for a new arena. This he found in Gilroy, where he purchased *The Gilroy Advocate*, in 1870, and conducted it as an Independent sheet, but finding this employment too confining, at the end of three years, he disposed of the paper to H. Coffin, and remained at his home in the city of Gilroy, until 1879, when he removed to San Benito county, where he owns a stock ranch, but, though still conducting this enterprise, Mr. Murphy is domiciled in the town of Gilroy. He married, October 15, 1872, Sarah Hanna, a native of Illinois, and has two children: William P., born August 29, 1875; Henry B., born January 1, 1879.

Since the above was written, Mr. Murphy has sustained the greatest of human bereavements, in the death of his wife, a notice of which is here given, as appeared in the *Gilroy Advocate*, of April 30, 1881: Sarah Murphy, whose premature death occurred at early dawn, on Friday, the 22d instant, was the oldest daughter of William and Rebekah Hanna, was born near Kirkwood, Warren county, Illinois, August 28, 1851, and was consequently twenty-nine years, seven months and twenty-five days old, at the time of her death. Her ancestors, on both paternal and maternal sides, were of the highest social and patriotic standing. On her paternal side, they fought in the battles that made a free and mighty Republic. Her maternal grandfather, the late Hon. Samuel Cresswell, was Adjutant General under General Jackson, in the war of 1812, and later in life, he, for many years, represented, with distinguished ability, his district in the State Senate of Ohio. Her father, the Hon. William Hanna, venerable in years, unsullied in honor, lives in this city. Her

mother died nine years ago. Her parents left Illinois, and settled in this State and county, in January, 1860, where she has since resided. She was married to Hon. Judge John Murphy on the 15th of October, 1872, by whom she bore three children, one girl and two boys. The girl died when eleven months and seventeen days old; the two boys, respectively five and two years old, survive her. The immense concourse of mourners, that wet her bier with tears, attested more cogently than words the spontaneous and unaffected grief of her neighbors and friends. Her well-stored common-sense, practical mind, her unvarying amiability of disposition, her proverbial sweetness of temper, her boundless benevolence and charity of heart, the stainless purity of her life, from childhood to girlhood and womanhood, at her own fireside, among her friends, anywhere, everywhere, was natural and unaffected. She loved everything and everybody that was pure and good, and had hatred only for impurity and sin. Surely a just and merciful God will have mercy on such a being. In all things she was natural and sincere. She loved her husband with the most sincere and unalloyed of human affection; she loved him as the pure and good wife loves her husband; she loved him as the father of her children; the love was mutual.

"Like the wild, water fowls, in mutual love,
Each upon each dependent, did they move;
But now, grief-stricken, a poor lonely man,
Unattended and alone he roams."

As a daughter she was dutiful, affectionate, and obedient; as a wife she was perfect; as a mother her affection and her care were boundless and unceasing; as a sister her love was ceaseless and perpetual; as a friend and neighbor she was kind and sincere. She now rests from her cares, and sleeps the sleep of the just. Her virtues are more lasting than monuments of marble or gold. Soft be the zephyrs that chant sad requiems o'er her mound. Peace to her ashes; rest eternal to her soul.

David H. Neel. Born in Madison county, Kentucky, February 5, 1806. In 1812, his parents moved to Anderson county, where he was educated and followed farming, both stock and agricultural, until he attained the age of twenty years, when he went to Ray county, Missouri, and there engaged in the like pursuit until 1850. In that year he started for California, but remaining eighteen months in Salt Lake City, he did not arrive in San Mateo county, where he settled, until October, 1852. Here he resided until 1859, when he became a resident of Santa Clara county, and located on a tract of land one mile north-west from his present home. In 1865 he moved to his present farm comprising one hundred and sixty acres. Married, January 18, 1839, Avarilla Caspar, a native of Richland county, Ohio, who was born March 23, 1820. The following are the names of their chil-

dren: Anastasia L., Malaira L., William C., Winfield W. W. C., Emigratus, Cyrus Napoleon, Rebecca Jane, Thomas Benton, Roeann Richardson, Stirling C.

George Niggle. Born in Switzerland, May 14, 1834. In the year 1856 he emigrated to New York, arriving in that city in September. Soon after touching the shores of the United States he went to Milwaukee where he was variously employed; thence he proceeded to Chicago being there engaged in a bakery; in 1857 he was working at the same trade in St. Louis, Missouri, and three months after became baker in the Planter's Hotel, Leavenworth, Kansas. In 1858, Mr. Niggle came to California by steamer from New York, remaining, however, for two months at Panama, being employed on the steamer *Golden Age*. In the Spring of 1858 he came to Santa Clara county, and after being a short time engaged at his trade in Santa Clara and San José, came to Gilroy and was cook in the Exchange Hotel for one year. From 1859 until 1863, he conducted a restaurant and bakery in that city, but selling out in the latter he visited Europe and the scenes of his childhood. In 1864 he returned to San Francisco; engaged in the hotel business, and in 1876 came back to Gilroy where he conducted a hotel until 1874. In 1876, he took charge of the San Felipe Hotel, where he has a store and conducts the post-office. Married, February 14, 1864, Lena Jeger, a native of Switzerland, and has: John, born in San Francisco, December 30, 1865; Mary, born in Gilroy, April 17, 1868.

A. W. Oliver. Born in Bath, Sagadahoc county, Maine, June 11, 1835. Having received his early training in that town, at the age of twenty-one years he entered Bowdoin College, Brunswick, and four years later graduated. His collegiate course concluded, Mr. Oliver engaged in school teaching for one year, when, his health failing, he took two voyages at sea, and then came to California, arriving in San Francisco in June, 1860. He then proceeded to Nevada, where he served one term as reporter and correspondent in the Legislature and afterwards proceeded to the Humboldt mines and worked for sometime; served one term as Probate Judge of Humboldt county, then returning to California located at Napa, and taught school there for three terms. The subject of our sketch next proceeded to San Diego where he lived for four years, on the expiry of which he transferred his residence to Gilroy and took charge of the public schools of that town as Superintendent. It is a pleasure to record that under his management these institutions are in a flourishing condition. Married, June 11, 1867, Caroline F. Burrows, a native of New York, and graduate of the Normal School of that State at Albany, by whom he has: Herbert B., born September 17, 1870, and died November 3, 1871; Ernest W., born April 5, 1873; Augustus I., born November 16, 1874; Arthur D., born March 4, 1876; and Roland B., born December 8, 1879.

John George Otto. Born in Frankfort, Germany, June 15, 1826, where he resided and was educated until 1849, when he emigrated to the United States, first settling in New York City. Here he worked at his trade for five years, and after engaged in the hotel business which he continued until September, 1877, when he started for California. On arrival he remained five months in San Francisco, at the expiration of which, he made the home for which he sought in Gilroy, having arrived there, February 20, 1878. Mr. Otto is the present Mayor of Gilroy, to which office he was elected, May 8, 1880. Married, October 10, 1853, Dora Beck, a native of Wurtemberg, Germany, and has no family.

S. M. Ousley (*Deceased*). Was born in the State of Kentucky, February 18, 1813. In the year 1835 he settled in Clay county, Missouri, and engaged in farming. January 11, 1837, he married Electa Rockwell, a native of Ontario county, New York. In 1839 he removed with his family to Andrew county, Missouri, where he resided until 1852. By this time the wonderful stories of the new Dorado had found their way into every city and village east of the Rocky Mountains, and every place added its number to the emigrant trains which were continually leaving for California. Mr. Ousley with his wife and seven children joined one of these trains, and after suffering all the hardships of so long a journey, arrived at Salt Lake. There he stopped during the Winter, and in the following Spring continued his journey, arriving at Deer Creek, near Placerville, in July, 1853. The next March he left this place and settled in Gilroy, Santa Clara county. The land titles being doubtful, he simply located his home and turned his cattle upon the open pastures, with the understanding that he would buy when the titles were made clear. This did not happen during his life-time. October 1, 1855, he was killed by the falling of a bucket while working in a well on Mr. Angney's farm. It is but just and right that the woman, who, by this affliction, was left the sole provider for a large family—six daughters and three sons—should be honorably mentioned in this place. Left as she was in a strange land with her almost helpless children, her farm unpurchased, did she despair? No, no! It is when under the rod that the noblest traits of woman shine forth. Thus, this woman went on from year to year, carrying her burden alone, watching carefully the moral as well as the physical training of her children; every year adding a little to the estate. She has paid for her farm of six hundred and thirty acres, erected good buildings, gathered around her the comforts of life, and now sits in the midst of her grown-up family like a true mother in Israel—loved and honored by all.

John Paine. Born in Ireland, July 4, 1833. In the year 1844 he emigrated to the United States and located in Westchester county, New York,

where he was employed on the farm of E. K. Collins, of the well-known Steamboat Navigation Company. For the first three years his pay was very small, ranging between two and a half and eight dollars per month. Mr. Paine next was engaged as a clerk to a Mr. Marshall for three years and a half, at the end of which he returned home, his father being ill at Valley Falls, Rhode Island. There he remained and was variously employed until in 1858, he removed to Warren county, Illinois, and worked on the ranch of Samuel Hanna & Son. On November 22, 1859, he started in company with William Hanna and family *via* the Isthmus of Panama to California, and arrived in San Francisco January 8, 1860. The next day found him in Gilroy, and soon after engaged at work on the Uvas creek. Mr. Hanna now opening a store our subject was put in charge thereof and so continued until July 7th, when he commenced threshing with horse-power on the Berreyessa ranch, and afterwards took the round of the other farms. In the Fall of that year he engaged in transporting lumber, in partnership with Tom Gaines, with three yoke of oxen they had purchased from Hanna Bros., from the Hanna mill at the head of Murphy's cañon. This enterprise he continued until January, 1864, when he and his brother Mike started a hotel—now known as the Hilledale property. In 1867 they moved to Gilroy where they conducted a feed store until April 1, 1868, when they embarked in the livery business, and in the Fall of 1876 purchased his brothers' interest. He owns also the stage line to the Gilroy Hot Springs, Los Baños, and Firebaugh's. Mr. Paine asserts that he owes a debt of deep gratitude to William Hanna and Captain Adams for many favors received at their hands. He married, February 9, 1864, O. V. Cottle, a native of Missouri, and has: William A., Michael John, and Maria H.

James F. Phegley. Born in New Madrid county, Missouri, November 7, 1838. As the age of twelve years he accompanied his parents to Pemiscot county, Missouri, where he resided for a number of years; thence proceeding to Dyer county, Tennessee, being educated at Arcada, Missouri. His parents now returning to New Madrid county, he joined them and there resided until he started for California, arriving in San Francisco April 1, 1870. The next day he came to Santa Clara county, and on the fifteenth day of that month purchased a tract of land near the Eighteen-mile House which he occupied until 1876, at which time he transferred his residence to Gilroy for the purpose of giving his family the benefit of the schools there. After remaining in the town three years he moved to the Hanna ranch. Mr. Phegley owns two hundred and forty-four acres of land at the Eighteen-mile House. Married, September 26, 1860, Mary Catharine Hancock, a native of New Madrid county, Missouri, and has five children, viz.: Stella, born September 2, 1861; William M., born February 24, 1863; Anna M.,

born April 2, 1865; David F., born July 30, 1869; natives of Missouri; Norah May, born May 29, 1875; native of California.

Darius M. Pyle. Born in Vermillion county, Indiana, April 20, 1851. In 1852, his father came to California, and, in 1855, the subject of our sketch, and his mother and eldest sister, arrived in San Francisco, by way of the Isthmus of Panama, and at once proceeded to Sutterville, Yolo county, where Mr. Pyle, Sr., was conducting a ferry-boat. In 1858, they took up their residence near Silveyville, Solano county, Mr. Pyle remembering distinctly the first load of lumber that was taken to commence the building of the present town of Dixon. Here the elder Mr. Pyle engaged in farming, while our subject received his education at the University of the Pacific, Santa Clara county. In the year 1869 his parents had moved to Santa Clara, and commenced ranching. At the end of his curriculum of two years and a half D. M. Pyle joined them for one season. He then, in 1872, was engaged in a tin shop, in Santa Clara, and afterwards taught for four years, being the Principal of the Alviso school, and, at the same time Clerk of the Board of Trustees, and Assessor of the town of Santa Clara. At the expiration of that time, in 1876, he embarked in the dairy business, at Gilroy, where he at present resides. Married, December 24, 1871, Mary Rea, and has: Elmo E., and Mary Aldean.

Samuel Rea. The subject of this sketch is the third son of James and Hannah Rea, and was born in Gallia county, Ohio, May 4, 1830. When but five years of age he accompanied his parents to Hancock county, and later, to Macon county, Illinois, where he was educated and reared a farmer. On February 19, 1852, he left for California *via* Panama, and arrived in San Francisco, July 26th of that year. He at once proceeded to the mines near Downieville, Sierra county, where he remained until 1855, when he paid his first visit to the Santa Clara valley. Thence he proceeded to Yreka, Siskiyou county, and there resided until 1859, in which year he once more came to Santa Clara county, and worked for four years with his brother, Thomas Rea. In the Fall of 1863 he located on his present farm of five hundred acres, where he has since resided. In 1879, he was elected Supervisor for the Seventh Supervisorial District of the county, an office he now holds. Mr. Rea owes his success in life entirely to his own unaided efforts, and is now one of the thrifty farmers of Gilroy township, that locality of truly excellent agriculturists. He married, May 30, 1869, Frances M. Dowell, a native of Cape Vincent, New York, and has two daughters, Florence V., and Lillian Etta.

Thomas Rea. Whose portrait appears in this work, was born near Gallipolis, Gallia county, Ohio, November 22, 1820. In the year 1833, he went

with parents to Hancock county, where he resided five years; thence to Macon county, Illinois, at which place he separated from the family circle and commenced the battle of life on his own account, leaving for Wisconsin in 1842 (Spring), where he labored in the lead mines until November, 1849, and then started for California by water, arriving in San Francisco, February 22, 1850. Who does not remember those rushing times when as quickly as people landed, they as quickly started for the gold district. To the mines, therefore went Mr. Rea, first to Auburn, Placer county, thence to Downieville, Sierra county, where he remained until March, 1852, and then back to the Eastern States, when he married, April 11, 1853, at Springfield, Illinois, Mary Ann Jones, a native of that State. No time was to be lost, therefore the subject of our sketch, and his newly-made bride commenced the arduous journey across the plains, back to the Pacific coast. August saw them in Sacramento, but remaining there only a few days, they journeyed to Santa Clara county, and founded a home in Gilroy township, September 3, 1853, where he has ever since dwelt. Up till the year 1868, Mr. Rea was engaged in dairying. In that year he retired from business, moved into the town of Gilroy, and, in 1873, erected the elegant residence in which he now resides. He has also property to the extent of a thousand acres. In Mr. Rea we see one of nature's noblemen—a self-made man. Coming to the State at an early date, when all was untamed, as it were, he foresaw the result. By great energy and perseverance he has made for himself a home in which is found all the comforts that money can buy and serenity of mind procure. To the world outside of his home, he is generous, almost to a fault, while within the sanctity of his own dwelling, he is looked up to as only the devoted husband and affectionate parent may be. His family consists of: James W., born August 23, 1854; Ada, born December 10, 1855, now Mrs. E. W. Strange; Emma D., born May 4, 1857, now Mrs. L. Loupe; Clara L., now Mrs. J. Hanna, residing in Texas, and Carrie M. (twins), born October 30, 1858; George Elnor, born May 20, 1862; and one adopted daughter, Mary, born January 1, 1850, now Mrs. D. M. Pille.

Henry Reeve. This old and well-known pioneer is a native of Albany county, New York. His parents moving to Lake county, Ohio, he there completed his education. In the year 1849 we find Mr. Reeve farming thirty miles west of Chicago, Illinois; there he remained until 1853, when he crossed the plains to California, bringing with him his wife and seven children. On September 15, 1853, he arrived in San José, Santa Clara county, and embarked in farming and dairying, which he conducted until November, 1854, when he removed to Gilroy township, and settled on the ranch where he now resides, one mile south of the town, comprising three hundred acres. Married Charlotte Shaw, a native of Montgomery county,

New York, by whom there are eight children: Oscar A., of Gilroy; Hannah M., now Mrs. J. B. Woolsey, of Oakland; Francis Henry, of Gilroy; Frances Henrietta, now Mrs. Dr. Bryant, of Gilroy; Oliver H. P., of Gilroy; Benjamin W., of Gilroy; John Page, of Gilroy; Joseph, born in California, and died in the year 1865.

Patrick Regan. Born in Ireland, March 13, 1829. In the year 1854 he emigrated to the United States, and, after spending two years farming in Massachusetts, came to California, arriving in San Francisco November 20, 1856. His first employment was upon a farm in Alameda county; in 1858 he was farming at Watsonville, Santa Cruz county; he there remained fifteen years, and still owns a farm in that district. In 1871 he removed to Santa Clara county, and purchased the three hundred-acre farm, situated in the Cañada de los Osas, on which he now resides. Married, April 12, 1857, Margaret Donovan, a native of Ireland, and has four children living.

Jacob Reither. Was born in Bavaria, Germany, May 13, 1832. In the year 1846 he emigrated to the United States and took up his residence in St. Louis, Missouri, where he resided until 1850, when he went to Illinois, living in different parts of that State until 1853, when he crossed the plains to California, and arrived at Marysville in the month of September of that year. In this town he remained but a short time; October 1st saw him started on his journey to Santa Clara county. On arrival he first made his home in the little town of Old Gilroy, but afterwards moved into Gilroy, where he has since been continuously domiciled except for two periods during which he visited Arizona in 1863-4 and the Eastern States in 1877. Up until 1867 Mr. Reither followed farming; in that year, however, he gave up his bucolic pursuits and opened a store for general merchandise, which business he still conducts. Mr. Reither has been one of the City Councilmen ever since the town of Gilroy has been incorporated, which position he still holds. Married, April 13, 1853, Miss Martha Holloway a native of Illinois, by whom he has: Emily S., Dolly S., and Clara Belle. His wife died October 12, 1861. Mr. Reither married secondly, February 21, 1872, Mrs. Flora Ricker, a native of Maine, who has two children by a former marriage, viz.: Gertrude and Goldey.

A. Riehl. Was born in Germany, September 8, 1831. In the year 1848 he came to the United State with an uncle and settled at St. Louis, Missouri, where he learned the trade of blacksmith. In 1853 he crossed the plains to California, arriving at Sacramento on the 7th of August. Here he worked at his trade for two months, then moved to El Dorado county still being employed at his proper occupation; from 1858 to 1866 he was engaged in mercantile pursuits; in the latter year selling out he moved to San Francisco;

in 1867 he became a resident of Santa Clara county, locating at Gilroy, where he carried on a mercantile business until 1875. In the year 1869 Mr. Riehl built the Gilroy Brewery and conducted it until 1877. He was elected Mayor of Gilroy in 1878 and served two years in that office. He married, November 20, 1864, Josephine E. Kumpf, a native of New York, born September 25, 1843, and has: Theresa M., born May 13, 1866; Emma D., born September 18, 1867; George A., born November 15, 1869; Martin W., born April 17, 1873; Florence C., born October 9, 1876.

F. S. Rogers. The subject of this sketch was born in Hardwick, Worcester county, Massachusetts, August 15, 1822. In the year 1832 he removed with his parents to Lenawee county, Michigan, where he received his scholastic training, and subsequently taught school. We find Mr. Rogers, in 1848, located at Georgetown, Scott county, Kentucky, there being again engaged in teaching the young idea how to shoot, but two years later, in 1850, crossing the plains to the new Dorado, he arrived at Placerville, then known by the euphonious name of Hangtown, September 2, 1850. Like every one else who landed in California at that early date, Mr. Rogers went to the mines, where combining trading with the practice of the dental art, he sojourned for six years, on the expiry of which he returned to the Eastern States and practiced his profession for a term of nine months, when he returned to the West, located at El Dorado, worked at dentistry, and engaged in the business of running a saw-mill. This establishment was unfortunately destroyed by fire, whereby a heavy loss was sustained, consequently, in search of fresh fields for his energy, he came to Santa Clara county, September 11, 1866. Leaving his family at the town of Santa Clara, our subject proceeded southwards, the while pursuing his calling, and finally settled in Gilroy, September 4, 1867, at which time he was rejoined by his wife and children. About this time Mr. Rogers entered into partnership, as real estate agents, with J. C. Zuck, and in six months after, the copartnership having been extended to Mr. Hoover, the style of the firm became Zuck, Rogers & Hoover, and it can be safely asserted that it is through their enterprise, public spirit and acumen that the town of Gilroy has attained its present commercial importance. Mr. Rogers is a man of extreme energy, while for him to put his hand to a work is the sure sign of its ultimate perfection. It has been mainly through this will that would brook no check that many of the prominent thoroughfares in Gilroy were opened;—as an estimable citizen he stands pre-eminent. He married, October 23, 1856, Dency C. Wilder, a native of New York, by whom he has: Edward O., born August 29, 1861; died September 17, 1863; Fanny W., born August 9, 1865, and Eugene F., born May 15, 1868.

Hon. James P. Sargent, Whose portrait will be found in these pages, was born in Grafton county, New Hampshire, February 11, 1823. Losing his mother at an early age he was soon cast upon his own resources, and in 1838, leaving the place of his birth, he proceeded to Merrimac county, in the same State, thence, after a year, to Quincy, Massachusetts, where he was engaged in driving a milk wagon for an uncle, Hon. J. W. Robertson, during the Winter months, and in the Summer employed in delivering ice and driving an ice wagon to Boston for Winslow & Bright of Cambridge, there being associated with him his brother, R. C. Sargent. In 1844, R. C. and J. P. commenced the ice business on their own account, delivering ice in Boston. In 1848, we find him and his brother, R. C., in the ice business in Chicago, but in March, 1849, they sold out, crossed the plains to California, and arrived at Weaversville, El Dorado county, October 1st, of the same year. Here he commenced his business career in this State. In Weaversville, they embarked in mercantile pursuits and mining; in 1850 they engaged in the purchasing of stock from immigrants, the partners being, our subject, and his brothers, R. C., J. L., and B. V., (they continued the store until 1855,) in the meantime locating a ranch near Woodbridge, in which Mr. Sargent still has an interest, and finally, in 1853, the gentleman whose name appears at the commencement of this memoir came to Santa Clara county, located on the Los Agules rancho (now in the adjoining county of San Benito) and there continued stock-raising until 1854 when he removed to a tract near "Soap Lake" and there dwelt until 1856, in which year he purchased the property on which he now resides, comprising seven thousand acres. In the year 1872, J. P. Sargent was elected to the State Legislature on the Republican ticket, while he is a life member of the California Pioneers; has been a director of the Santa Clara Valley Agricultural Society for the past ten years, being elected its President in 1877 and served as such for one term. It will thus be seen that he has held positions of trust that are a credit to himself and an honor to the community in which he resides, while individually a more whole-souled man cannot be found than Jim Sargent. His extensive ranch is located five miles south from Gilroy and one mile north of the station on the Southern Pacific Railroad, known as "Sargents." Married, October 29, 1865, Agnes Bowie, a native of Montreal, Canada, and has: James A., born August 12, 1866; Roswell C., born November 27, 1869; Agnes C., born October 15, 1871; Ida, born April 30, 1875; Louisa L., born October 1, 1878.

Thomas D. Satterwhite. Born in South Carolina, September 19, 1849. At the age of five years he accompanied his parents to Texas, where they died some years later. Here our subject remained until he started for California, April, 1860, making the journey in company

with his brother John W. Satterwhite across the plains with ox-teams, *via* the Southern route, and arriving at Visalia in September of the same year. From here he proceeded to Lower California, but after a lapse of some time returned. In the Fall of 1863 he took up his residence in Gilroy and was there educated in the public schools, attending St. Stephen's school during the term 1873-4, being also engaged in learning the butcher's trade. In May, 1876, he was elected to the position of City Clerk in Gilroy, an office he now holds; in the same year he was appointed a Notary Public. Mr. Satterwhite also for three years devoted himself to the study of law but was compelled to abandon it on account of ill-health. In the year 1880 he paid a visit to Texas, and returning in December resumed his business in Gilroy where he is an insurance agent. Married, July 22, 1874, Clara Belle Reither, a native of Gilroy, and has: Raymond, born May 28, 1875; Clinton Melville, born November 24, 1878.

George Seamen. Born in Nova Scotia, October 28, 1836, where he was educated. In early life he was a sailor. In 1858, he went to Australia, and the year 1861 found him in New Zealand, during the gold excitement in that colony. Here Mr. Seaman engaged in mining for seven years, at the expiration of which he removed to Queensland, being one of the first to take part in the "Gimpsey Creek rush." Up to this time, the country was entirely peopled by savages, but it was not long before the strong hand of civilization made itself felt, for, as if by magic, a large population of some fifteen thousand were engaged in mining operations, who had brought with them all the accompanying good and evil to be found in a new placer country. Being now seized with an illness, our subject proceeded to Sydney, New South Wales, where he remained until recovered. He then moved to Melbourne, in March, 1868, but remaining there only a short time, took passage to England, and finally crossed the Atlantic to his native land. Mr. Seaman remained in the Dominion until December, 1869, when he came to San Francisco, and made it his abode until 1873. In this year he removed to Gilroy. In 1877, he purchased the Southern Pacific Hotel, which he now conducts. George Seaman is everything the traveler can desire, upright, genial, and accommodating; his hostelry is worthy of the reputation of its proprietor, and we are happy to say it deservedly receives a fair share of public patronage. Mr. Seaman married, December 4, 1877, C. J. Hilton, a native of Waterville, Maine.

E. Swift. Born in Seneca county, New York, January 8, 1829. At an early age he was moved by his parents to Hillsdale, Michigan, where he was educated. In 1852 he crossed the plains to California, arriving first at Hangtown (now Placerville) the 17th August of that year. After pros-

pecting for a time he went to Marysville, but returned to Placerville. In 1853 he came to Santa Clara county, and resided in San José, until February 16, 1854. He now returned to Michigan. In 1859, however, he once more traversed the plains to the Golden State, and established himself in Sutter county, but passed the Winters of 1861 and 1862 in San José. February 16, 1866, he sailed from San Francisco, once more to visit his home in Michigan. He engaged in farming in Hillsdale county until 1880, when he once more found his way back to California, and arrived in Marysville, May 4th. On August 18, 1880, he located on his present farm of eighty-six acres, in Gilroy township. Married, January 16, 1859, Emma F. Gibbs, a native of New Jersey, and has: Katie F., now Mrs. George B. Wagner, born March 24, 1861; Albert Grant, born February 25, 1864; Arthur Julius born June 15, 1872.

Missey Thomas. The subject of this narrative, whose portrait appears in this work, was born, in Ohio county, Kentucky, January 27, 1813. At the age of twelve years, he accompanied his parents to Marion county, Missouri; thence they proceeded to Lewis county, in the same State, and there he received his education, as well as being reared a farmer; the last sixteen years of his residence, farming on his own account. In the year 1840, he crossed the plains to the Pacific slopes, in a train of forty-two wagons, conducted by Ebenezer Ously, and arrived in California, in September, of the same year. Mr. Thomas, like every one else, first engaged in mining; his initial venture being on Dry creek. Giving up the search for gold in two weeks, however, he turned his attention to teaming until the following Spring, when he opened a grocery, in partnership with John Bane, and conducted it until December, when he sold out, and sailed from San Francisco, December 14, 1850, on a visit to the Eastern States, arriving at his home in Missouri, February 15, 1851. On April 18, 1853, we find Mr. Thomas, once more about to undertake the weary journey across the plains, bringing with him a drove of cattle. He came direct to Gilroy township, Santa Clara county, arriving November 1, 1853. He first resided in a rented house near the old homestead, but, subsequently, having purchased outright a squatter's claim, he located thereon—the farm on which he now lives—comprising four hundred and sixty-five acres in possession, and nine hundred and forty-five acres in an undivided grant. For the first twelve years of his sojourn in the county, Mr. Thomas engaged entirely in stock-raising, but latterly, he has confined himself chiefly to agricultural farming. In the year 1855, his father, James Thomas, who was born August 27, 1786, made the journey to this State—a rather severe undertaking for a gentleman of seventy years—and joined his son, remaining with him until his death, which occurred in October, 1869. Our subject was married, May 7, 1837, to Phoebe F. Pane, a

native of Bracken county, Kentucky, by whom he has the following family: James B., born June 30, 1838, and died October 29, 1859; Mary Susan, born February 3, 1840, now Mrs. W. Barker, of Fresno; Thomas R., born December 8, 1841; John and William (twins), (the latter of whom died,) born October 28, 1843; Benjamin F., born December 22, 1846; Louisa E., born August 7, 1848, and died December 7, 1849; Massey, born December 10, 1851; Clayton R., born January 25, 1854; Charles E., born January 15, 1857.

Hon. Thomas Reynolds Thomas. The subject of this memoir, whose portrait appears in this work, was born in Lewis county, Missouri, December 8, 1841, where he was educated, and resided until 1853, in which year he crossed the plains with his father, Massey Thomas, bringing with them a drove of cattle, and arrived in California, at Sonora, in the Fall of that year. Remaining here but a short time, they removed to Santa Clara county, October 16, 1853, and located in Gilroy township; the subject of this sketch completing his education in the county. In the year 1866, Mr. Thomas purchased a tract of ninety-seven acres of land, to the south of the city of Gilroy, a portion of it being within the corporate limits; while, in 1869, he was elected to the State Legislature on the Democratic ticket, when there were six candidates for the office, Mr. Thomas receiving two thousand one hundred and ninety-two votes. While in the Assembly, he served on the Committees of Ways and Means, Hospital, and location of State Normal School. He is now engaged in a warehousing, insurance and grain business in Gilroy. Mr. Thomas is one of the most whole-souled men we have met in our travels; fair and above-board in his dealings, just in his transactions, and kindly in his disposition—a sensible, upright, honest man is the Hon. T. R. Thomas. Married, May 24, 1866, Melcena Haun, who died October 10, 1877, by whom he has: Susie, born May 10, 1867; Loretta, born July 30, 1868; Frederick, born May 14, 1870; Otis, born October 25, 1874. Married, secondly, September 15, 1878, Ettie Young, a native of Maine, who died October 31, 1880. Had one child by this union: Ethel May, born July 24, 1879, and died July 8, 1880.

David Thornton. Was born in Springfield, Ohio, June 28, 1828. When fourteen years of age he went to the State of Kentucky; at twenty years he commenced the saddlery and harness business on his own account, and continued it for about five years. At the end of that period he started with ox-teams to cross the plains to California, and arrived at Placerville, El Dorado county, September, 1853. After mining at this point for a short time Mr. Thornton removed to El Dorado City (or Mud Springs), there worked at his calling and resided until 1867, when he proceeded to Petaluma,

Sonoma county, and engaged in merchandising for two years; afterwards farming for three years. In 1872-3, as the representative of the Pacific Wine Company, he was engaged in shipping wine to New Orleans. In June of the latter year he established his present business in Gilroy, where he now resides, respected among his fellow-citizens. Married, December 24, 1851, Mary Aberdeen, a native of Ireland, who crossed the Atlantic when but three years old. His children are: Lewellyn, born August 7, 1853, on Humboldt river, Utah Territory; Nolie, born in El Dorado county, May 22, 1855; Maggie Kavanaugh, born in El Dorado county, August 12, 1856; James Aberdeen, born in El Dorado county, April 1, 1858; Theodore Elliott, born in El Dorado county, July 28, 1860; William Edwin, born in El Dorado county, January 24, 1862, died November, 1862; Thusa, born in El Dorado county, December 29, 1863; David, born in Sonoma county, July 9, 1868; Alice, born in Sonoma county, January 19, 1870; Avie Hubbard Kavanaugh, born in Santa Clara county, April 23, 1874; Robert, born in Santa Clara county, April 13, 1876.

Peter A. Trombly. Born in Lucas county, Ohio, July 16, 1827, and there remained until he attained the age of twelve years, when he went to La Salle county, Illinois, and there completed his schooling. On March 23, 1853, he started to cross the plains, *en route* for California, and arrived in Sacramento the 23d of August of the same year. For the first three months he was engaged in cutting wood on the forks of the American river, after which he came to Santa Clara county and located on a farm near the Day Ranch, but subsequently selling his improvements to Mr. Day, he embarked in various pursuits up till 1859. At this period bees were worth a hundred dollars per stand, Mr. Trombly therefore tried his fortune at that enterprise. In 1865 he purchased an interest in the place he now owns, and in 1874 bought his partner's share, at which time he moved on to the ranch, which comprises two hundred acres, situated on the old stage road leading from San José to Watsonville. The farm in olden days was known by the name of Arthur's Stage Station. Mr. Trombly married, firstly, February 14, 1861, Martha M. Mayfield, who died September 10, 1869, by whom there are: Minnie D., born September 3, 1863; George A., born October 19, 1865; Joseph W., born August 30, 1867; Ida M., born August 30, 1869; and, secondly, April 15, 1871, Lydia C. Ball, a native of Cattaraugus county, New York, by whom he has: William T., born August 5, 1873.

A. B. Tryon. Was born in Springfield, New Jersey, February 27, 1831. At eight years of age his parents removed him to Berrien county, Michigan. Here he learned the trade of a cabinet-maker, which he completed at Niles in 1851, and after working at different points until 1853, he found employ-

ment in Chicago at the Union Car Works. Here he remained until April 4, 1854, when he started for California across the plains, and, arriving at Placerville, there took up his residence for two years, after which he mined for some years on Feather river, and, once more returning to Placerville, there stayed for another twelve months, occupied at his trade, at the expiration of which, in 1869, he came to Gilroy, and started as a furniture dealer and undertaker, since when he has been a continuous resident of that town, save a period of eighteen months, which he passed in Portland, Oregon. Married, in 1863, Elizabeth Pearson, a native of Scotland, who died in 1864. Married, secondly, his present wife, Sarah F. Tew, of Missouri, November 14, 1868.

Pleasant B. Tully. Eldest son of Lewis B. Tully, was born in Henderson county, Tennessee, March 21, 1829. When nine years of age he accompanied his father to Philips county, Arkansas, where he attended the common school of the district and completed his education at Reell's Academy in 1849. At the age of twenty-one years he proceeded to Texas, but only remaining a short time returned to Arkansas and engaged in mercantile pursuits. Returning to Austin, Texas, he joined the emigration to California in the Spring of 1853, and traveling *via* El Paso, New Mexico, and through Arizona to Tucson, arrived in San Francisco the 25th November of that year. Mr. Tully now passed most of his time at the various mines in the State. May 2, 1858, he settled in Gilroy, Santa Clara county. He was elected a Justice of the Peace for that township in September, 1859, and afterwards Associate with Judge J. H. Moore, of the Court of Sessions, and during his tenure of office commenced reading law, at the suggestion of Judge W. T. Wallace. In 1863 Mr. Tully was admitted to practice, and has since continued so-doing. His position is considered to be at the top of the tree of criminal lawyers, while his record as the defender of the noted Vasquez and Jesus Moreno, is a gem in his career. He was elected, October 28, 1879, to the Constitutional Convention as a Delegate at Large on the Non-partisan ticket, and maintained his character for rectitude and high principle. He was a warm advocate for the adoption of the New Organic Law, while throughout his life he has been in politics a consistent Democrat. Mr. Tully is entirely a self-made man, and has by indomitable pluck and perseverance attained to the proud position he holds in Santa Clara county—both privately and professionally. He is the pioneer lawyer of the town of Gilroy; is well read in all the intricacies of legal lore; is a forcible and eloquent speaker; has a profound knowledge of the science of political economy, and above all is a deep thinker. Married, September 25, 1859, Mary E., eldest daughter of Julius Martin, of Gilroy, who came to California from Missouri in 1843, and has two daughters: Lizzie P., born January 10, 1861; Mary Lee, born May 26, 1864.

Frederick Wallitz. Was born in Germany, February 12, 1835. In 1856 he arrived in the United States, and landing in New York, at once proceeded to California where he arrived January 13, 1857, and there worked at his trade of baker for some time. From 1860 he resided in Calaveras county for some years, then returning to San Francisco followed his calling until 1877, in the Fall of which year he settled in Santa Clara county, upon the farm he now occupies on Bolfish creek about six miles from Gilroy.

Alexander Watson. Was born in Scotland, October 6, 1834, and when an infant came with his parents to the United States, locating first in South Carolina. A year later they moved to Staten Island; thence to Herkimer county, New York, where the subject of our sketch began his education, and was reared a farmer. Mr. Watson commenced the cares of a solitary existence when most people now-a-days are toiling over a spelling-book. At the early age of thirteen years he was launched on the world. He was first employed on the farm of one Harris Lewis, of West Schuyler, Herkimer county. He next went to Utica, New York, where he was six years and seven months in the fancy-dyeing business; in 1857 he left Utica and proceeded to Auburn where he obtained employment as a baker and afterwards at his own trade; in 1858, after traveling through the Middle States, in the Summer he opened a dye shop in Rome, New York, and January 20, 1859, he started for California by way of the Isthmus of Panama. On arrival Mr. Watson went to the mines, and was engaged in various ways. In 1860 he was employed as cook for the workmen then getting out the stone for the Masonic Temple in San Francisco. In that year he came to Santa Clara county where he was employed as a dairyman for several years; in the Fall of 1868 he purchased an interest in the farm he now owns, which, however, was divided in 1871, Mr. Watson retaining as his share the portion he now occupies. Married, December 3, 1868, Lavinia Bryan, a native of California and has: Ellen, born January 22, 1872; Martha, born February 4, 1874; Alexander, born October 30, 1876.

Hon. Christian Wentz. Was born in the Grand Duchy of Baden, Germany, August 13, 1822. Emigrated to the United States with his parents in 1833, and resided in the vicinity of Port Deposit, Cecil county, Maryland, up to January 10, 1849, when he sailed from Baltimore in the ship *Greyhound*, which arrived in San Francisco June 3, 1849. Immediately after arriving Mr. Wentz went to the mines by way of Stockton to what is now called Jamestown, Tuolumne county, and returned to San Francisco during the Fall, where he remained until the Spring of 1850 when he returned to the mines, going to the Yuba river in the neighborhood of Foster's Bar. Meeting with indifferent success he returned to San Francisco, and

stayed there until the latter part of November, when he came to Santa Clara county and engaged in farming in the neighborhood of Santa Clara and San José. In April, 1855, he married Eliza E., daughter of Elder J. K. Rule, and moved to Gilroy township in December of the following year where he has since been occupied in dairying and stock-raising. Mr. Wentz was elected a Justice of the Peace for Gilroy township in 1861. He was also one of the company of fifty who purchased the Rancho Justo in 1868 from Colonel W. W. Hollister and laid it out into homesteads and the town of Hollister, now the county seat of San Benito county. Was Deputy Assessor from 1872 to 1876, and also in 1880-81; and was elected to the House of Assembly as one of the three representatives from Santa Clara county, in the Twenty-fourth Session of the Legislature of California.

L. A. Whitehurst. Born in Princess Ann county, Virginia, June 4, 1834. When six years of age he moved with his parents to St. Louis, Missouri, and there resided four years; thence they moved to Lexington. In 1849 he crossed the plains to California and proceeded to Bidwell's Bar, Butte county, and mined, but meeting with little success, returned to Missouri in the Winter of 1851-2. Remaining in that State until 1859, Mr. Whitehurst once more returned to the Pacific coast and crossing the plains arrived at Sacramento September 22d of that year. At the end of two months he removed to Santa Clara county, and after a short stay in San José located on the Santa Cruz Toll-road not far from Lexington, and engaged in lumbering. After remaining here for ten years, in the Winter of 1869 he went back for a visit to the Eastern States; returning, however, in the following March he took up his residence in Gilroy, where he still lives. Mr. Whitehurst has been engaged in the lumber business ever since he first started at Lexington. In 1875 he became connected with the Bank of Gilroy, and is now its President, while privately, and publicly as well, Mr. Whitehurst is respected by the entire community of which he is a member. Married, January 31, 1860, Hattie A. Logan, a native of Missouri, and has a family of seven children.

Albert Willson. Was born in Keene, Cheshire county, New Hampshire. Here he passed the greater part of his life until he came to California. Six of his youthful years were passed in learning and working at the trade of brick-mason, in Randolph, Massachusetts. He received his schooling at the Academy at West Brattleborough, Vermont. On January 9, 1852, he started across the Isthmus for California, and arrived at Shaw's Flat, Tuolumne county, February 15th, where he prosecuted mining for four years, at the expiration of which he was married and removed to Santa Clara county, and first took up his residence at the old Soap house which stood west a

short distance from the dwelling he now occupies, to which he moved in 1857. Mr. Willson owns five hundred and thirty-five acres, and is engaged in dairying and farming. Married, March 12, 1856, Miss E. J. Hildebrand, a native of Indiana, and has: Carlon R., born July 5, 1857; Frederick W., born November 16, 1860; Charles S., born October 5, 1867.

Horace Willson. The subject of this sketch was born in Marlborough, Cheshire county, New Hampshire, February 18, 1822. When an infant his parents moved to Keene, in the same county, where Mr. Willson was educated in the academy of that place. On leaving school he learned the bricklayer's trade, and worked at building and contracting for nearly twenty years. On November 9, 1853, he started *via* Nicaragua for California, arriving in San Francisco December 3d of that year, and on the day following came to Santa Clara county, arriving in Gilroy township on the 5th. For the first three months he resided with his brother, D. Willson, in San Ysidro, or Old Gilroy, and then purchased his present homestead. To Mr. Willson is the honor due of making the first brick in that section of the county, which he perfected in the year 1854. In the year 1859 he constructed his present magnificent brick mansion, the building of which he personally superintended throughout. The edifice is thirty by forty feet, two stories high, with an "L" twenty by thirty-six feet. It is situated in the center of the almost classic little town of San Ysidro, where it is an ornament and credit to the county and proprietor alike. Contiguous to it are the well-arranged farming offices, while the grounds are laid out with much taste, a fine arbor covering the pathway from the public road to the entrance. Besides this homestead he has a stock-raising range of several thousand acres in extent, in which business he has been engaged ever since 1854. It is a pleasing duty to here record that Mrs. Lavinia Willson, the mother of our subject, accompanied her son to California in the year 1853 and still survives. She was born September 8, 1797. Married Charles Willson in 1817, who died May 5, 1845. Mrs. Willson resides in Old Gilroy not far from her son, where she is surrounded in her old age by all the comforts that thoughtful children and grandchildren can afford, and though born in the last century, we, with all others, trust that time may still further wing his flight ere she be called to cross the dark river. Horace Willson married, May 2, 1846, in Brattleborough, Windham county, Vermont, Eunice E. Chickering, a native of New Hampshire, who was born March 30, 1828. Their children are: Charley, born October 20, 1847, died February 14, 1867; Dan., born September 8, 1849, died August 24, 1857; Frank, born July 20, 1851; Edwin, born July 20, 1855; Lyman, born March 19, 1858; Amanda May, born February 4, 1860; Ida Eliza, born April 18, 1863; Lucy Anna and Luly A. (twins), born July 16, 1865; Mary Jane, born December 4, 1866.

Mr. Willson is a member of the Horticultural Society, and represents this portion of the county. In 1860 both Mr. and Mrs. Willson united with the Presbyterian church and are still connected with it. He has never aspired to any political office during his residence in the county.

Peter Bonnett Wilmarth. Born in New York City, July 24, 1846, where he was educated. When eighteen years of age he came to California, arriving in San Francisco May 1, 1865. He at once proceeded to Monterey where he took up his residence. Ten years later we find him in the employ of Mackay & Fair in Nevada, and two years after at Gilroy acting as clerk in the Williams House. In the Spring of 1880 he took a short trip to New York, and returning engaged in business at the Gilroy Hot Springs, where he is a general favorite with all frequenters of that fashionable resort. Married, October 29, 1880, Carrie M. Harrison, a native of Gilroy, Santa Clara county, California.

J. S. Wolsey. Born in Lake county, Ohio, December 30, 1838. He arrived in San Francisco October 13, 1870, and in the following month became a resident of Santa Clara county and a citizen of Gilroy. On arrival Mr. Wolsey first engaged in the business of a gunsmith, but afterwards became Superintendent of the Gilroy Gas-works, a position he now holds. In August, 1875, he built his present machine shop. Married, May 1, 1865, Martha Goodwill, a native of Ohio, by whom he has six children, viz.: Henry, born September 23, 1866; Vernon, born October 5, 1868; Mary, born February 27, 1871; Elmer, born October 5, 1874; Carry, born March 17, 1878, and Eunice, born January 23, 1881.

David Wood. A native of Montgomery, county, New York, first saw the light on May 14, 1817. When an infant he was moved by his father, Uriah D. Wood, to Cattaraugus county, in the same State, where he resided and received his education until 1842, when he emigrated to Ottawa, La Salle county, Illinois, and was there engaged upon a farm. While at his plow the world was startled with the news of the discovery of gold in California. The plowshare was at once laid aside for the pickaxe, the plow-reins for those of the prairie-schooner, and, crossing the plains with all its attendant hardships, Mr. Wood found himself in Sacramento on August 23, 1849. To the mines! to the mines! was the wild slogan of every one; thither the subject of this sketch, therefore, also proceeded with the rest, but at the end of two months, finding that there were other ways of getting gold besides the digging for it, he proceeded to San Diego, purchased a drove of horses and mules, drove them along the coast, and on gaining his destination established a pack-train for supplying the mining camps with provisions. His health failing, Mr. Wood sold out of the concern at the end of three

months and returned to Illinois, and there stayed until 1853; but such were the attractions of this State, that we find him once more on the boundless plains, *en route* to the Pacific coast, his former experience having gained him the position of captain of the train. On the 19th August of the year last mentioned, he once more found himself in Sacramento, and, moving from thence in that Fall, came to Santa Clara county, arriving in Gilroy township Christmas Day, 1853. Having paid a second visit to Illinois, in the year 1855, Mr. Wood returned with his family, this time by water, and took up his residence in Gilroy township, where he has since been, save for twelve years, during which he had his abode in Tulare and Merced counties. Married, September 8, 1842, Mary Mills, of New York, and has: Charles A., Nelson H. (deceased), David M., James T., George R., Frank A., Martha, William W., and Mary.

Uriah Wood. The subject of this narrative was born in Cattaraugus county, New York, September 5, 1829. At the age of eleven years his parents took him to Whiteside county, Illinois; from there to Bureau and La Salle counties, in the same State; in the last named he received his education and resided until 1852. In this year he crossed the plains to California, arriving at Hangtown (now Placerville) in September of that year. Shortly after reaching the State, he proceeded to Calaveras county, there passing the Winter of 1852-3. In the following Spring he went to Spanish Flat, and mined until the Fall of the year, when he made Sacramento his residence until March, 1854. He then came direct to Santa Clara county, located on a squatters' claim in Gilroy township, until 1857, at which time he disposed of his affairs and embarked in the stock business. In 1860 Mr. Wood took up his abode in the San Joaquin valley, where he owned a ranch of nearly five thousand acres, two thousand being under cultivation; he had something over four thousand sheep upon this tract. In 1866 he acquired the farm near San Felipe, on which he now resides, comprising two hundred and seventy-four acres, where he has a comfortable home and fine land. Thus doth perseverance overcome difficulty. When our subject first arrived in the county his available capital was a little more than three hundred dollars; for some time he drove a team in the redwoods; he afterwards settled on a claim two miles north-west of Gilroy; and so, round by round, has he climbed the ladder of life, until to-day he is one of the leading citizens in the district in which he resides. Mr. Wood is also largely interested in three banks—the Bank of Hollister, Salinas City Bank, and the Grangers Bank of California, and other corporations. Married, December 18, 1862, Phoebe L. Smith, a native of Ohio, and has: Chester W., born August 21, 1864; Walter H., born December 5, 1866; Ralph W., born October 31, 1870; Louis E., born July 27, 1875.

David Zuck. This worthy pioneer, who has given two sons to the Legislature of California, was born in Ross county, Ohio, January 30, 1808, where he was educated, and resided, until February, 1835, at which time he moved to Marion county, and for five years engaged in farming. Thence he proceeded to Caledonia, in the same county, and combined a mercantile and tailoring business. Two years after, he embarked in hotel-keeping, seceding from the first-named, and continued it until his determination to proceed to California was arrived at. Early in the ever memorable year of 1849 Mr. Zuck entered into a contract with General George Rowe to accompany a party across the plains to the Pacific. They were fitted out at St. Joseph, Missouri, and a start effected April 12th of that year. All went well with our travelers until the Platte river was reached, on June 1st, when a raid was made upon them by Indians, and two of their oxen stolen. After a chase of five miles the depredators were overhauled and called upon to surrender, when a skirmish ensued. One of the party, Dr. Fisher, had his horse shot under him, and another, Ben Toppin, was wounded by an arrow piercing his thigh. Four of the red skins were made to bite the dust. The remainder of the journey was made without further mishap, and Mr. Zuck believes that even the misadventure that happened might have been avoided. On October 26, 1849, the subject of our narrative arrived at the mines on the Yuba river, and there remained until January 28, 1850, when he moved higher up the stream, to Bullard's Bar, but had poor success. In December, 1850, he worked as a farm-laborer on the Horn Cut, and four months later purchased a ranch. Hitherto he had had no financial success; now he essayed practical farming. Purchasing two hundred acres of land in partnership with R. F. Piat, he located about fourteen miles from Marysville, on the Horn Cut, and there took up his residence. Mr. Zuck now determined to visit the East. He therefore sailed from San Francisco, December 5, 1851, in the steamer *Golden Gate*, on her first voyage, and arrived in New York on New Year's morning, 1852. Having recrossed the plains, he arrived on his farm, near Marysville, on September 17th, of that year, whence he removed to Santa Clara county, November 7, 1853, and on the following day located on the property he occupies, now comprising eight hundred and forty acres, where he is engaged in farming and stock-raising. Married, April 11, 1833, Maria Eliza Linton, a native of Ohio, who died May 10, 1881, by whom he has: Mary Ann, born March 25, 1834; John, born November 5, 1835, died March 22, 1867; [The Hon. John Zuck was elected to the House of Assembly of the State of California, on the Republican ticket, September 4, 1861, when he polled one thousand seven hundred and sixty-seven votes, being forty-five more than the Hon. Charles Maclay, Republican, and one hundred thirty-one more than Hon. J. Brown, Republican. He died full of promise,

and much regretted.] Harriett, born May 10, 1838; William H., born November 16, 1841, who died December 27, 1863; James C.; born January 14, 1844; [The Hon. James C. Zuck is the *confrère* of the Hon. G. F. Baker, in the present Senate of the State of California.] Albion Theo., born May 30, 1846, who died April 29, 1870.

The Honorable James C. Zuck. The subject of this biography, the son of David and Maria L. Zuck, was born, in Marion county, Ohio, January 14, 1844. In the year 1852, his father determined to cross the plains, face their many hardships, and proceed to the Pacific shores, therefore arrangements were made, farewells said, the prairie schooner freighted, and, under command of the captain, W. W. Hollister, the course was shaped for the land of gold. In the Fall of that year, the party arrived in Marysville, but the mindful father, having in view the education of his children, not finding academic facilities in that vicinity, after a little, proceeded to Santa Clara county, where these were to be had, and located in Gilroy township, in the month of October, 1853. In the year 1862, the gentleman, whose career we have now under notice, entered the University of the Pacific, then situated in the town of Santa Clara, and graduated, A. M. (*Artium Magister*), in the class of 1867. His curriculum ended, he studied for four months in a law office, in San José, and, in the Fall of that year, established the first legal office in Gilroy, when it was composed of but a few houses, and the site of the town an open field, wild and uncultivated. At this period, Mr. Zuck, in company with F. S. Rogers, entered largely into real estate transactions, and taking into partnership Mr. Hoover, the firm became Zuck, Rogers & Hoover, who staked off the town of Gilroy, planned its streets, and purchasing a parcel of ground here and a tract there, divided it into lots, and disposed of them as occasion offered; indeed, the town site has been purchased by these enterprising gentlemen over and over again, while Mr. Zuck has made out the deeds for nearly every piece of property there. In the years from 1868 to 1871, Gilroy took its principal start, when such were the number of operations in land, that Mr. Zuck drew out from ten to a dozen transfers *per diem*. When the railroad was completed, however, the building enterprises ceased, and the town assumed the quietude which it to-day bears. On January 6, 1874, the subject of our memoir was elected President of the Bank of Gilroy, which position he held for five years; he then resumed the practice of his profession, and in the Fall of 1879, was elected to the State Senate. Appointed Consul at Tien Tsing, North China, May 20, 1881. Married, firstly, February 26, 1868, Mary L. Hayden, who died October 1, 1872, by whom he has one daughter, named Nellie; and secondly, Jennie P. Dorland, a native of Canada, and has by this union two children, viz.: Ralph J.; and Marguerite.



Yours, sincerely,
Geo. F. Baker.



MILPITAS TOWNSHIP.

Samuel Freeman Ayer. Whose portrait appears in these pages, was born January 23, 1840. His parents, James and Elizabeth Ayer, at that time were residents of the town of Sackville in the British province of New Brunswick. His father was an extensive manufacturer, carrying on the business of a tannery, a harness factory, a shoe factory, and at the same time devoting considerable attention to agriculture. Samuel lived with his parents until he was fourteen years of age, attending school and assisting his father in the different branches of his diversified business. At that time, at his own request, he was indentured as an apprentice to a gentleman who was carrying on a large carriage factory in the town of Sackville. He soon became a most valuable assistant to the proprietor. His indentures ran for seven years, at the end of which time he would have been twenty-one years of age, but at the expiration of six years he made up his mind that he wanted to come to California, and the gentleman to whom he was apprenticed, in consideration of his valuable assistance, cancelled his indentures and in 1860, being then twenty years of age, he started for the Pacific coast. He came by way of the Isthmus, arriving in San Francisco in May of that year. He did not remain long in the city but at once made his way into the interior. He first located at the town of Santa Clara where he worked a few months in the shop of John Dickson, but receiving an advantageous offer from Abraham Weller, of Milpitas, he removed to that place. He was employed in Mr. Weller's shop until the Spring of 1861 when he leased the shops and set up business on his own account. A thorough knowledge of his business coupled with industry and square dealing, insured his success. He married in 1862, his wife being Miss America E. Evans, the accomplished daughter of Josiah Evans, one of the pioneers of the State, and a gentleman widely known and highly respected. In 1863 he abandoned his lease of the old shops and built new ones of his own which he conducted successfully until 1868. At this time he purchased a tract of land containing one hundred and fifty acres, situated a mile east of Milpitas toward the foot-hills. He then gave up his shops and engaged in agriculture, a business in which he has been eminently successful and which he still follows. He lives on this place with his family which now consists of his wife and eight children. Of his children, six are girls and two are boys, the oldest being a boy aged eighteen years, and the youngest a girl aged four years. Soon after

his location in Milpitas, Mr. Ayer's sound sense and practical ideas on all questions affecting the welfare of the community caused his opinions to be greatly sought and respected. He was frequently solicited to become a candidate for some one of the important offices of the county, but would consent to accept nothing but the position of School Trustee of his district. Taking a lively interest in everything connected with the matter of common schools, he accepted a place on the School Board of his district in 1866, and has held it ever since. The efficiency of the Milpitas schools, is, in a great measure, owing to his liberal and enlightened ideas on the subject of common school education. In 1875 the Supervisorial districts of Santa Clara county were reorganized, a district being formed from the townships of Fremont, Alviso and Milpitas. An election for Supervisors was to be held in February, 1876, Mr. Ayer was urged to become a candidate, and, after earnest solicitation, consented. The district was Democratic by a large majority and Mr. Ayer was a Republican. The Democrats nominated Thomas Stealey, a resident of Mountain View, a very popular man. At this election Mr. Ayer received two hundred and forty-five votes and Mr. Stealey two hundred and thirty-nine, Milpitas casting her entire vote except eleven for Mr. Ayer. In 1879 another election for Supervisors was held and Mr. Ayer again became a candidate, his opponent being John Carrick, of Milpitas township. The result was that Mr. Ayer received four hundred and three votes, and Mr. Carrick one hundred and seventy-two. The effect of this last election indicates that Mr. Ayer has very satisfactorily discharged the difficult duties of this usually thankless office. Mr. Ayer is still in the prime of life, being only forty-one years of age, is in robust health and full of energy. As a public officer he has originated and carried to a successful termination some of the most beneficial measures of our county government. As a farmer he has always been in the front rank of progress, and as a citizen he is esteemed and respected by all.

Wilson S. Bower. Born in Carroll county, Ohio, February 13, 1842. In the year 1865 he left his native State for Montana; thence to Idaho, from there to Salt Lake, next to Arizona by way of the Colorado river; afterwards to Kern county, California; next to Santa Cruz where he was employed at various occupations for five years; then to Mexico and South America; back to New York and Ohio, proceeded to Texas, Indian Territory, Nebraska, and finally settled on the South Calaveras ridge, Milpitas township, Santa Clara county, California, where he has fixed his home but has not taken unto himself a "better-half."

David S. Boyce. Born in Huntingdon county, Canada, August 18, 1838, and there resided for the first fifteen years of his life, when he moved to

Toronto and engaged in the carriage and wagonmaker's trade. At the end of about two years he went to the State of New York, worked at his trade for eight months and then started for California by way of the Isthmus, arriving in San Francisco in 1857. After making a short stay at Scarsville, San Mateo county, he proceeded to the mines at Columbia, Tuolumne county; thence to Murphy's Camp in Calaveras county; then to Saw Mill Flat, Tuolumne county, where he remained all Winter; in the Spring he went to Redwood City, San Mateo county; in the following Fall to Spanishtown, and finally came to this county and worked for Mr. Ayer until 1864, when he was variously employed most of the time, until he built his present shop in Milpitas, where his business is conducted under the firm name of Boyce & Topham. Married, February 22, 1869, Sarah Cottle, and has: Sarah E., born December 4, 1871; Helen S., born July 18, 1873; Clara, born February 18, 1879; Edward P., born December 20, 1880.

John Carrick. Was born in Haddingtonshire, Scotland, September 21, 1821, and emigrated to the United States in 1844, first living in Maine and Massachusetts. After sailing round the Cape of Good Hope to Australia, he came to this State in 1850. Three months after his arrival in San Francisco he proceeded to the mines in Mariposa county for a short time and had good success; he then came to Santa Clara county, obtaining employment in the New Almaden mines; at the end of one year he moved to San José and commenced working at his trade being the first baker in that city, having also furnished the yeast whereby the first beer was brewed there. Here he continued in business until 1857, when he purchased one hundred and sixty acres of land from Joseph Stevens in Calaveras valley; he now owns four hundred acres, and two hundred head of stock. Mr. Carrick was one of the first who established a school in the district, and has been a School Trustee for several years. Married, in Australia, Mary McMaster, a native of Argyleshire, Scotland, and has had six children as following: Julia, in Australia, now Mrs. Collyer, Alexander J., Marion Jane (deceased), Isabel L., Alice C., now Mrs. W. French, Annie M.

Charles Clark. Born in Delaware county, Ohio, April 27, 1819, where he lived until he came to California in 1852. He soon after located on the farm on which he now resides. After first coming to Santa Clara county, however, he built a house about a mile north of Milpitas and occupied it for two years; he next dwelt for five years in Contra Costa county; and thence returned and bought the property as above stated, where he has some of the finest Durham stock, several head being especially imported into the county. Married, in Delaware county, Ohio, September 20, 1842, and has: Philander, born in Ohio, September 17, 1845; Phoebe A., born in Wisconsin, March 17, 1851; Lucy M., born in California, July 3, 1854.

Philander Clark. Born in Ohio, December 17, 1845, and when quite young came with his parents to California. In 1852 he went to school in San Francisco, after which he entered the store of T. W. Spring in San José for one year. On the expiration of that term he came to Milpitas, engaged with E. W. Darling with whom he remained eight years, when he finally purchased the business of that gentleman. Mr. Clark is also Postmaster, and manager of the Western Union Telegraph Agency. Married, April 29, 1868, Sarah Maple, a native of Staten Island, New York, and has: Charles, born March 9, 1869; Arthur, born February 11, 1871; Eva, born October 12, 1873.

E. W. Darling. Born in Messesquoi county, Province of Quebec, December 28, 1834. At sixteen years of age he went to West Cambridge, Massachusetts, and there remained four years, then went to Boston and engaged in the manufactory of whalebone for some years. In 1859 he came to California; was in Downieville, Sierra county, one year; next went to Tehama county and engaged in the stock business for seven years. In 1867 removed to Santa Clara county, purchased seven hundred acres of land on the San Ysidro grant, south of Gilroy, stocked it with two hundred cows, and followed the dairy business one year when he removed to Milpitas, entering the mercantile business with Calvin Valpey, Jr., and remained in the same until 1879. In 1876 he built the Milpitas Grain Warehouse and took the Agency of the Central Pacific Railroad Company, also Wells, Fargo & Co., and at the present time is attending to the business of these companies as well as being in the wholesale trade of hay and grain. Married, in December, 1856, Abbie, the daughter of Deacon Nathaniel Churchill, of Yarmouth, Nova Scotia, at Boston, Massachusetts, by whom there has been one son born who died in infancy. His father was a fine musician, who had a violin made at Verona, Italy, which is an heir-loom and now in the possession of our subject, it being one hundred and seventy-one years old.

Hiram Pomeroy. Born in Knox county, Indiana, January 11, 1822, whence he went to Sullivan county when quite young. At ten years of age he accompanied his parents to St. Joseph county, and after two years to Marshall county where he settled when there were but a very few white residents in that locality. After residing among the Indians there and farming for nineteen years, he started for California *via* the Isthmus of Panama, in 1853. On arrival he started for the mines on Jamison creek, Plumas county, but remaining there only one Summer, he came to San José, where he left his family and departed for Tuolumne county, where he mined for six months. With only a small sum made in this venture he returned to San José, joined D. Meyers in a two-hundred-acre farm, put in a crop, but a dry

year ensuing, experienced a total loss. Mr. Porreroy then removed with his family to Gilroy, worked in a dairy for a year and a half, paid his debts like a man, and came to the Calaveras valley, Milpitas township, in 1857, purchased a pre-emption claim of one hundred and sixty acres and planted a vineyard and orchard, which he sold some six years since to the Spring Valley Water Company. Married, April 13, 1847, Harriet Taylor, a native of New York. They have no children.

John Sinnott. Born in County Wexford, Ireland. In the year 1800 he emigrated to Canada, in which country he farmed until 1851 when he emigrated to California, coming *via* the Isthmus of Panama, which was crossed on mules, and arrived in San Francisco June 19, 1851. Mr. Sinnott came direct to Santa Clara county, and settled in Fremont township near Mountain View; in 1856 he removed to Milpitas township, bought an undivided interest in a tract of land supposed to comprise three hundred acres but on measurement was found to contain but two hundred; to this he has since added until he at present owns a property of five hundred and seventy-five acres, all of which is well improved, and under the immediate management of his sons, Thomas J. and Patrick Sinnott. Married, in Quebec, Canada, Elizabeth Bulger, and has five children living—two sons and three daughters: Thomas J., Patrick, Catharine, Mary, and Ellen Sinnott. The sons though tempted by public preferment have ever turned their backs upon the avenues of political honors and pursued the even tenor of their ways in the more profitable and peaceful pursuits of agriculture. One of the daughters is now a Sister of Notre Dame, having joined that order twenty-three years ago. Another daughter is married to John Murphy, of San Leandro, while the other sister, Miss Ellen, the light of her own home and the favorite of all who know her, lives with her brothers and parents at the old homestead.

Robert Walsh. Born in Canada, July 22, 1832. In the Fall of the year 1853, he arrived in San Francisco, and coming direct to Santa Clara county, located himself for eight months in San José township. He then passed about half a year at the mines at Columbia, Tuolumne county; next he proceeded to Alameda county, and there resided about eight months; thence he went to Milpitas township, Santa Clara county, and acquired the farm on which he now resides, comprising one hundred and eighty-three acres, with as much more in the hills. Married, November 8, 1868, C. Kennedy, by whom he has: Mary E., born May 16, 1870; Thomas, born December 24, 1871; Cecilia V., born December 8, 1873; Katie, born December 24, 1875; Anne L., born April 18, 1878; Agnes, born April 14, 1879.

Abraham Weller. Born in Somerset county, New Jersey, November 25, 1821. When quite young, he went with his parents to Livingston county,

New York, lived on a farm until he was eighteen, then commenced life on his own account, as a blacksmith—a trade he followed until he came to this State, in 1850. After a few days' stay in San Francisco, he left for Coloma, near Folsom, where he mined for two years; he then came to Milpitas township, and started a blacksmith's shop, at the same time purchasing a squatter's claim to a ranch, from John Tyghe, part of his present farm. At the end of six years he sold his shop to T. J. Marcher. Mr. Weller, at present, owns two hundred acres of land. Married, January 26, 1863, Ellen Carpenter, who died August 5, 1880. By this union there is one child: Henry C. born March 1, 1864.

Joseph R. Weller. Whose portrait appears in this work, was born in Warren county, New Jersey, October 10, 1819. When he was at the age of five years, his father emigrated to the Genesee valley, New York, and there, in Temple Hill Academy, he received his early education, under the tutorship of Professor Horatio N. Robinson. He afterwards taught in the public schools, and attended the Ithaca Academy, and while a student there, was elected by the Board of Supervisors of Livingston county to go to the State Normal School at Albany. Graduating there, in 1846, he was immediately engaged by Colonel W. W. Wadsworth, as an associate with Henry Willey to take charge of an Agricultural College, which he was commencing to establish in the Genesee valley, a position he occupied until Mr. Wadsworth's health failed, and the college was discontinued. In the Spring of 1849, he went to Staten Island and taught a private seminary (under the proprietorship of Professor H. M. Bachm) until May, 1850, when, under the influence of the prevailing California fever, he left New York, on the brig *John French*, for the far-off land of gold. After a stormy passage of thirty-three days the mouth of the Chagres river was reached, when, with six companions, they traveled, by way of rowing their own boat, to the town of Cruces. Thence over the old Boliver trail, on pack-mules, to Panama, where, with several thousand others, six weeks were passed awaiting a steamer to convey them to San Francisco. At length the almost unendurable suspense was ended by the arrival of the ship *Columbus* from her first trip to San Francisco. As soon as repairs could be made, he secured passage, and arrived in San Francisco, August 7, 1850. He soon went to the mines at Coloma, El Dorado county. At the end of a month he returned to San Francisco, ill with Panama fever. In the following Spring, still suffering from the effects of the fever, he came to Santa Clara county, and located on the Charles Weber Ranch, twenty miles from San José, where he remained until his health was fully restored. We next find Mr. Weller employed on the Laguna Ranch for one month; he then proceeded to the mines in Mariposa county, with Thomas Douglas, taking with them two loads of produce.

On his return to San José, after an absence of seven weeks, he acquired fifty acres of land from James Murphy, farmed it for two years, and then, May 1, 1853, came to Milpitas township, settling where he now resides. In 1861 he was married to Mrs. Marion W. Battey, *née* Hart, a native of Madison county, New York, by whom he has two daughters, Marion E., and May L. Weller. In 1855 Mr. Weller organized the Milpitas school district, being appointed a Trustee, which position he still holds. He filled the office of Justice of the Peace, from 1856 to 1878. In 1853 he received the nomination for the Assembly, and, in 1855, was candidate for County Clerk. In 1878 he was elected to represent the county in the Constitutional Convention. In politics, Mr. Weller is a Republican, with progressive tendencies and decided character, truly a sympathizer with the working classes, and an active agent in all liberal movements for true advancement. His duties in life have not been in their nature brilliant or prominent, but they have been such as to require the most solid and useful of the civic virtues, courage, integrity, justice, and steady, indomitable energy. Possessed of a genial disposition, and a firm Christian faith, he acts by his own honest convictions in the fear of God, and is ever ready to assist all that is good and repress all that is wrong, or that hinders the general prosperity of his fellow-men.

Dudley Wells. Born in Monroe county, Michigan, September 24, 1829. He crossed the plains to California in company with A. French and N. R. Harris arriving October 10, 1852. Soon after he proceeded to Corte Madera, Marin county. At the end of eight months he removed to Negro Hill, El Dorado county, where he resided until November 28, 1853, when he came to Santa Clara county, and settled in Calaveras valley, Milpitas township, taking up the ground on which he now lives. About six years ago he disposed of his property to the Spring Valley Water Company, who purchased the valley, but he still rents from that corporation. Mr. Wells has been a School Trustee, and Roadmaster of the district for several years. Married, in 1856, Parthena C. Ogan, a native of Missouri, who died October 18, 1875, by whom he had Martha A. and Mary J. (twins), born August 8, 1858; Leona born December 26, 1867. Married, secondly, October 1, 1877, Martha Brown, and has one child, Maurice M., born January 5, 1880.

REDWOOD TOWNSHIP.

John Goldsworthy. The subject of this sketch was born in the county of Cornwall, England, February 14, 1816. When fifteen years of age he commenced working in the copper and tin mines, where he continued to find constant employment until the year 1841, when he emigrated to the United States and settled in the State of Wisconsin, where he soon became actively engaged in mining, in which business he was continuously and successfully employed until the year 1852. On entering the mining fields of Wisconsin, he soon discovered that the knowledge acquired during his employment in the deep mines of Cornwall, was likely to be of great benefit to him in this country, and his superior knowledge of constructing pumps and timbering soon caused his services to be sought after by others engaged in the same business, and wherever employed his skill in constructing suitable pumps, with which to drain the mines, soon secured for him the good-will and patronage of his employers. Indeed, so successful was he in the Wisconsin Lead mines, that when he left there for California, December, 1852, he was the owner of a good farm well improved and stocked. On arriving in California, January 16, 1853, he immediately struck out for the mines, having been compelled to foot it most of the way from Sacramento to Sonora, the stage company refusing to carry passengers, owing to the bad condition of the roads, which were in such a deplorable condition that nothing but the mails could be transported over them. On arriving at Sonora he found provisions of every kind and description scarce and high. Flour fifty cents per pound, and everything else in proportion, and even at the existing high prices they were very difficult to get. He immediately commenced gold mining on Wood's creek, near the then flourishing town of Sonora, where he continued one year. Here his knowledge previously acquired was again sought after by his associates and the construction of suitable pumps, with which to remove the water from the deep diggings of that section, occupied much of his time at advanced wages. From Sonora he went to Valecita, where he had been called to take a situation as timberman in a mine, for which services he received a good salary. From Valecita he when to Carson's Camp, where he soon after met one of the greatest misfortunes of his life, the loss of a beloved brother, who was instantly killed by the caving of a gravel bank. Here Mr. Goldsworthy remained two years. From thence he went to the middle fork of the American River, where he was employed in tim-

bering the drifting claims then being worked under the banks of that stream. After being profitably employed at this business for some time he returned to Wood's creek, where he purchased a mining claim and continued to work the same; on March 14, 1857, he was offered a position in the New Almaden Quicksilver mine in this county. The position that he secured at this mine afforded him a good salary, and having the promise from the owners of a permanent situation, he sent to Wisconsin for his family (wife and eight children, two of whom being his brother's children), who arrived here in the Fall of 1857. He remained in the employ of the Almaden Mining Company nine years. In 1864 he purchased a ranch of one hundred and twenty acres near Los Gatos, and cultivated the soil for five years. He then went to San Luis Obispo county, where he remained about six months, mining for quicksilver, when he returned to his family at Los Gatos. Soon after coming back from San Luis Obispo county, he went to the St. John's Quicksilver mine near Vallejo, where he was engaged as foreman of the mine and workers, which position he retained three years and a half, having given entire satisfaction to his employers; he was then appointed Superintendent of the North Almaden Quicksilver mine, near San José, having received the appointment from the lamented Captain Adams. Mr. Goldsworthy is in possession of numerous testimonials from many distinguished mining operators of California and elsewhere, all of which testify to his skill and great ability in conducting mining operations. Married, January 16, 1840, in the Church of England, Ursula Edwards.

Henry Hutton. Born in New York City, August 27, 1813. After working with his father, who was a butcher, until he was sixteen years of age, he served his time at the carpenter's trade, at which he remained for six years, then drove a team for two years, and finally became ticket-taker at the Bowery Theater, New York, being at the same time a Deputy Sheriff where he remained until 1842. We now find Mr. Hutton in the position of Superintendent of paupers on Blackwell Island, where, after a year's service, he was transferred as steward for the children on Randall Island. At the end of a year he commenced a butcher business in New York City, which he continued for two years. In December, 1849, he started for California via Panama, and arrived in San Francisco, April 16, 1850. On reaching this city he started for Merced county, and went to work mining, which he followed for nearly one year, then returning to New York. After a short stay of three weeks in that city he returned to California arriving in July, 1851. He first went to Benicia and acted as agent for John B. Steinberger and Rufus Rowe, to supply the Pacific Mail Steamship Company with beef, remaining with them one year; he then formed the acquaintance of one Ryder, in company with whom he commenced wharf-building, an occupation he prosecuted until

the Fall of 1853; once more he returned to New York but at the end of six months brought his family to California, and arrived in May, 1854. After speculating in cattle for two years he embarked in a retail butcher business in San Francisco, for five years, then went into the oil business for two years; started another butcher shop, which he carried on for two years more; next worked at the carpenter's trade until 1859, when he bought a ranch of two hundred and twenty-seven acres in Redwood township, on which he has since and now resides. Married, March 4, 1835, Elenor Foster, by whom he has now living: Ann Eliza Hutton, born in New York, 1837; Warner Hutton, born in New York, 1839; Sarah Ellen Hutton, born in New York, 1841; I. A. Hutton, born in New York, 1842; Laura Hutton, born in San Francisco, 1856; Hiram Hutton, born in San Francisco, 1859.

Ira J. Lovell. Born in Logan county, Kentucky, November 6, 1811. When quite small, he moved with his parents to Muhlenburgh county, and there resided until 1839. He was married January 14, 1836, to Ann L. Campbell, of Muhlenburgh county, by whom he had eleven children. In 1839, he moved to Hopkins county, Kentucky, where he followed farming, until the Fall of 1850, when he moved to Saline county, Missouri. He remained there until the Spring of 1852, then started across the plains for California, arriving at Santa Clara in the Fall of that year. In the Fall of 1853, he located on his present farm, of two hundred and thirty-five acres, in Redwood township. The following are the names of his children now living: William M., born in Muhlenburgh county, Kentucky; James M., born in Muhlenburgh county, Kentucky; Mary E., born in Hopkins county, Kentucky; John A., born in Hopkins county, Kentucky; Joseph W., born in Hopkins county, Kentucky; Hugh W., born in Hopkins county, Kentucky; S. Maggie, born in Humboldt county, Nevada; Ella L., born in Santa Clara county, California.

John Weldon Lyndon. Born at Alburgh Springs, Grand Isle county, Vermont, February 18, 1836, and there resided until 1846. From this place he moved to Whitfield, Coos county, New Hampshire, and remained there until he came to California, arriving in San Francisco, *via* Panama, October 24, 1859. On the following day he came to Santa Clara county, and after being variously employed for some months, entered the store of B. Josephs, at Lexington, where he remained clerking for three years. Mr. Lyndon now started in business on his own account, and thus continued until 1868, when selling out, he took a trip to the Eastern States. At the end of a few months he returned to this county, settled at Los Gatos, and bought what was known as the "Ten-mile House," from H. D. McCobb, but conducting the hotel for only a few months, he disposed of it to Morgan Covell. Four years

later, however, Mr. Lyndon repurchased this establishment, from Jacob Rich, the then owner, and now conducts it as the Los Gatos Hotel. On his return from the Eastern States, the subject of this sketch, also opened a store of general merchandise, at Los Gatos, which he still manages. Mr. Lyndon was elected Trustee, for the Los Gatos school district, in May, 1878.

John F. Mason. The subject of this sketch was born in Jefferson county, New York, November 20, 1822, where he received his schooling, and at the age of eighteen years, commenced to learn the trade of cabinet-maker. In 1843, he went to Troy, in the same State, and shortly after removed to Boston, Massachusetts, where he was employed till the Fall of 1845, at which time he proceeded to Lowell, Massachusetts, and there worked until the year 1850, when he started for California, *via* Panama, and arrived in San Francisco, May 20th, of that year. On arrival, he almost immediately left for the mines at Foster's Bar, about fifty miles north of Marysville, but at the end of two months, he departed with two companions, for Wilson's creek. This goal, however, they did not reach, for perceiving an opening at a place called Strawberry valley, the comrades there opened a trading post, which Mr. Mason was interested in only a short time. Disposing of his interest to his partners, he established a pony express between Sacramento and that place, thence through Onion valley to Nelson's creek, and conducted it until the Fall, when he sold out and bought a share in a restaurant in Marysville, but finally parted with that in a few months. As is well remembered, the Winter of 1850-51, was a mild one, Mr. Mason therefore determined to try his luck once more at the mines, consequently he proceeded to Poorman's creek, near Nelson's creek, and labored there until the following Spring, when he transferred his location to Cañon creek, and stopped there until the next Fall. We next find him on the Yuba river, and in the latter part of 1851, at San Francisco. By that time, Mr. Mason had, to a certain extent, wearied of California, and determined to turn his steps towards the East. He packed his blankets, started for the wharf, but on his way encountered an old friend who had worked with him in by-gone days, at home, and who was then in business in San Francisco. He asked Mason to remain and take charge of his business, while he visited the Eastern States. Our subject consented and remained accordingly. In 1852, the friend returning, Mr. Mason started a painting and mastic business (the latter being the first of the kind established in California), and conducted it for three years in San Francisco, with a branch at Sacramento. In 1855, he sold his business, proceeded to Iowa Hill, and once more tempted fortune at the mines, which proving no success, he came to Santa Clara county, in 1856, rented a farm and made money. In 1859, he purchased one hundred and sixty-two acres, at Los Gatos, for which he paid seven dollars an acre, it being then covered with timber and

underbrush, but by dint of perseverance and hard work, Mr. Mason has made it one of the very finest ranches in that section of the county. As a criterion of what he has done, we will here mention that, in 1871, he sold forty acres of this property, at fifty dollars per acre; in 1880, he disposed of eighty-two acres, at eighty dollars per acre, while he retains forty acres as a homestead, which, with its improvements, are worth five hundred dollars per acre. Married, in Lowell, in 1847, Elizabeth A. Foss, of Leeds, Kennebec county, Maine, and has four children living, viz.: Frank E., born May 2, 1856; John F., Jr., born June 17, 1858; Eunice F., born July 9, 1860; Elizabeth A., born April 24, 1865.

John Messersmith. Born in Fayette county, Indiana, April 12, 1824, where he attended the common schools of the district, and worked on his father's farm until 1848, when he took charge of the premises, and managed the property until 1858. He then moved to Marion county, in the same State, and, purchasing a farm, remained on it until 1870, when he came to California, and, after residing a month in Santa Clara, bought his present ranch of two hundred and ninety-two acres, in Redwood township. Married, October 23, 1845, Irena Powell, a native of Fayette county, Indiana, who was born June 12 1825. The following are the dates of birth, and names, of their children: John G., born August 17, 1846; Esther A., born May 12, 1848; William H., born May 23, 1850, died August 17, 1850; Sarah E. born August 10, 1852; Mary E., born September 27, 1853; Julia M., born November 21, 1855; Martha J., born March 24, 1859; Harriet R., born March 17, 1862; Mancher W., born May 5, 1864, died August 29, 1864; Iva Ellia, born April 15, 1865; Ulysses S. G., born November 1, 1868.

Reuben McCoy. Born in Green county East Tennessee, February 4, 1825, where he resided for the first eleven years of his life; then his parents moved to Jackson county, Missouri, where the subject of this sketch was educated, and reared upon a farm. Mr. McCoy left this place and went to Platte county, and in company with his uncle and several others started for California, on April 13, 1850, across the plains, with ox-teams, arriving via Salt Lake at New Fort Kearny, May 10th; passed Fort Laramie, June 7th, reaching Salt Lake July 7th; on the 13th they continued their journey, and arrived at Placerville, August 29, 1850, where he commenced mining, there remaining fourteen months, at the end of which time he came to the Santa Clara valley, settling on his present ranch of three hundred and five acres in Redwood township, putting in a crop, and paying for his first seed-wheat ten cents per pound; for barley, eight cents. Married, December 12, 1866, Ellen D. England a native of Missouri, by whom he has John Alfred, William Orville, George Sterling, Laura Elizabeth, and Arthur Howard.

Jonathan Parr (*Deceased*). The subject of this sketch, whose portrait will be found in this work, was born in Staffordshire, England. When about twenty-six years of age he emigrated to the United States, and on his arrival at New York, at once proceeded to the then "far west," and settled in Lee county, Iowa. In this beautiful and fertile region he remained until 1846, when he determined to go to Oregon with his family, and permanently settle in that Territory. With this determination he joined a large caravan bound for the distant shores of the Pacific, but, like many others changed his mind while traversing the plains, and diverged for California. A portion of the time he, with his wife and three children traveled with the unfortunate Donner party, but abandoned it before its members encountered the fearful sufferings which afterwards befel them. Parr and his family reached California in safety, in November, 1846, and stopped for a short time in Livermore valley. Thence, moved to the Mission of Santa Clara, where he remained but a short time also. He then went to the Guadalupe, about a mile and a quarter from the Mission and settled on what is now the magnificent and valuable place called "Laurel Wood Farm." Here he engaged in stock-raising, in which vocation he was successful. In three or four years, however, he found the range for his stock becoming very much circumscribed in consequence of farmers occupying the land for agricultural purposes. Parr, therefore sold his place, and removed to a spot about four miles east of the New Almaden mines, and there continued to raise stock. Farmers were not long in settling in that portion of Santa Clara county also; and in 1856 Parr sold out and purchased three thousand acres of land from Sebastian and José Hernandez Peralta, a very valuable tract lying on either side of the Los Gatos, six miles south of Santa Clara, and about seven miles south of San José. In this delightful portion of Santa Clara county Jonathan Parr (chiefly engaged in raising stock) resided until his death which occurred September 11, 1867. He sleeps beside his wife, who had preceded him, about thirteen months, to her last resting place, in the beautiful, quiet cemetery of Santa Clara. Three sons and three daughters survive their parents, and yet live on the rancho. Two-thirds of the three thousand acres are now in a high state of cultivation. The rancho is finely timbered, principally with majestic oaks, and is also well watered. Parr, "the fine old English gentleman, one of the olden time," had invested considerable amounts of money in real estate, in Santa Clara, San Francisco, and probably elsewhere. He was a man highly esteemed during life for his genial disposition, and his death was much regretted. His wife died August 6, 1866.

Charles H. Parr (*Deceased*). Was born in Lee county, Iowa, October 2, 1843. In 1846 his parents started by way of the plains, with ox-teams to California, the first stoppage in this State being made in the Livermore

valley, Alameda county, remaining there but a short time; they afterwards located on the Laurel Wood Farm, near Santa Clara, where residing until 1853, they removed into Almaden township. In 1856 his father, Jonathan Parr, purchased a farm on Los Gatos creek, in Redwood township, who, dying September 11, 1867, his estate was divided, the subject of this sketch receiving as his share four hundred and forty-one acres of the property, upon which his widow now resides. Mr. Parr, who died January 13, 1877, married April 27, 1865, Mary A. Kenny, a native of Arkansas, who was born June 7, 1847, by whom there are two children, viz.: Charles Edward, born December 17, 1866; Maud Emily, born January 18, 1870.

Edward N. Parr. Born on the Laurel Wood Farm, near Santa Clara, March 27, 1852. When but two years old he accompanied his parents to Almaden township, residing there until 1856, when they moved into Redwood township upon a ranch they had purchased about three miles from Los Gatos, upon the creek of that name. His father dying September 11, 1867, the property was divided, the subject of this sketch receiving the portion on which he now resides, amounting to four hundred and forty-four acres. Married, September 11, 1872, Virginia Johnson, who was born in San José, January 9, 1853, and have a family of three children, viz.: Edward Lester, born August 25, 1873; Edna Lulu, born December 25, 1877; Charles Earl, born December 5, 1879.

John J. Roberts. Born October 6, 1824, on Leuter Island (afterwards a portion of Leuter county, Missouri). When quite young his parents moved to Illinois, where he was reared and educated. At the age of seventeen he left home and engaged in trading on the Mississippi river for five years. In the year 1846, on the outbreak of the Mexican war, he volunteered in the First Illinois Regiment, Company A, and was assigned to the Center Division of General Wool's corps, John J. Warden, Colonel, and James D. Morgan, Captain. In 1847 he received his honorable discharge with a record of his regiment of which he had reason to be proud. On returning home he engaged in mercantile business, until the discovery of gold in California. In 1849 he crossed the plains to California, arriving at Montgomery Bar, Feather river, Butte county, September 13th, of that year, where he remained one year. In 1850, in company with J. S. Turner, he built the first house erected in American valley, Plumas county. In 1852 he returned to his former camping ground on the Feather river, and in the Fall of the year he came to Santa Clara county, and was married, December 22, 1852, to Martha, daughter of Judge Hugh R. Colter of Wisconsin. In 1853 he went to Half Moon Bay, then in San Francisco county, but at present in San Mateo, where he resided four years and then moved to the mouth of San Fran-

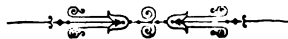
cisquito creek, San Mateo county, where he engaged in farming eight years. He then returned to Santa Clara county, and settled on his present farm of one hundred and fourteen acres, situated about a mile north of Los Gatos. The following are the names and dates of birth of his children: Lizzie A., born May 1, 1854, died November 11, 1878; Mina C., born October 30, 1855, died November 30, 1866; Ella M., born October 10, 1858, died April 19, 1878; Salva A., born November 15, 1860; Douglas J., born July 10, 1863; Lou., born November 25, 1865; Hugh R., born October 11, 1868; Mattie H., born September 10, 1871; Carl J., born May 26, 1874; Sumner V., born May 2, 1877.

William H. Rogers. Born in Wayne county, New York, January 11, 1830, where he received his early education. In 1844 he accompanied his parents to Detroit, Michigan, and after attending school at Ann Arbor for a short time, he went to work in the Detroit City Flour Mill, and there continued until March, 1852. In the Fall of 1849 he obtained the first premium for flour at the Michigan State Fair, against thirty-six competitors. In March, 1852, he started across the plains for California; located at Placerville, El Dorado county, in June, 1853; worked in the mines until the Summer of 1855, and, in that year, in company with some others, built the Mountain Flour Mills on Weler creek, two miles from Placerville—one of the earliest flour mills in the State—and conducted it until 1860 when he disposed of his interest. In 1861 Mr. Rogers was appointed Postmaster at Placerville, which position he resigned in September, 1863, on being elected Sheriff of El Dorado county, and held this office for three years. He then moved to Los Gatos, Santa Clara county, where, entering into partnership with some others, he purchased the Forbes Mill, and established what is known as the Los Gatos Manufacturing Company, of which he is still a prominent member. In February, 1866, Mr. Rogers was elected Supervisor of the Sixth District, and served until March, 1880. Married, March 21, 1850, Louisa A. Greeley, by whom he has had four children. Those living are: Mary L., born March 29, 1851; William E., born November 30, 1855; and Oscar G., born January 11, 1867.

Robert Walker. Whose portrait appears in this work, was born in Canada West, September 15, 1841, and there resided for the first twenty years of his life. In the year 1862 he immigrated to California; tarried two months in San Francisco, and then proceeded to British Columbia, where he mined until 1865. In that year he came to Santa Clara county, settled in Redwood township for two years; then moved to Monterey county, and farmed near Salinas until 1871, when he returned to Redwood township, Santa Clara county, and settled on his farm of four hundred

and fifteen acres, all under first-class improvement. Married, November 10, 1870, E. J. Parr, and has three children, viz.: Leslie, born May 13, 1873; Myrtle, born May 12, 1875; Vivian, born September 7, 1878.

Harvey Wilcox. Born in Onondaga county, New York, March 30, 1822, and is the third son of Lomai and Hannah Wilcox. When he was fourteen years of age he lost his father, and, three years later, leaving home to commence life's battle, he proceeded to Joliet, Illinois, and there learned the trade of jeweler. In 1844 Mr. Wilcox was in Southern Iowa, near Des Moines river, engaged in the manufacture of steel ploughs—among the first to be made in that district—which were bartered for produce and transmitted to New Orleans in flat-bottomed boats. A large percentage of this commodity was sold to the United States Government during the Mexican war. Closing out his business in Iowa he returned to Joliet, and worked at his trade for some years. In 1849 he traveled by way of the Isthmus of Panama to California, arriving at San Francisco in February, 1850. Proceeding at once to the mines on the North Yuba, near Downieville, Sierra county, he labored in the mines for a year with moderate success. He returned to Illinois. The year 1856 found Mr. Wilcox once more in California and at his old camping-ground at the mines. At the end of seventeen months he removed to Solano county, and engaged in the sheep business for two years, abandoning which he embarked in mercantile pursuits in Silveyville and Maine Prairie, and was one of the party to assist in the founding of the flourishing town of Dixon in that county, where he also engaged in merchandising until 1869, when he turned his exclusive attention to sheep-raising. In the year 1875 he came to Santa Clara county and made his abode on the Alameda, and there remained until he took up a residence on the hill-side, just south of the village of Los Gatos, a position commanding an extensive view of the valley. Married, in October, 1844, Harriet S. Demmard, a native of Worcester county, Massachusetts, and has two sons: Charles F., born July 6, 1852; Harry E., born June 12, 1861.



SANTA CLARA TOWNSHIP.

James M. Billings. Was born in Penobscot county, Maine, May 27, 1824, where he was educated and resided, until he started, by way of Cape Horn, in the ship *Goldhunter*, for California. September 6, 1849, he arrived in San Francisco, but after a short stay left for the mines on Tuolumne river, in the county of that name. While here, the company with which Mr. Billings was, sent to Stockton and purchased a diving-bell, but, after trying it in both the San Joaquin and Tuolumne rivers, it proved a failure; they next diverted the stream, last named, by means of a dam, but by its breaking the watergate they lost all. Billings then commenced making lumber with whip-saws for a mining company, but this breaking up, he was once more on his beam-ends; but to be idle was to lose the opportunity, he therefore started an express from and to various points in Mariposa and Tuolumne counties, which he continued for two years; then ran a stage during one Summer, from Stockton to Coulterville; he next embarked in ranching and keeping a public house in San Joaquin county, on the road to the mines; and finally came to Santa Clara county and township, in December, 1854, and commenced farming some five miles from the town. At the end of about seven years, he moved into Santa Clara, and for a few years followed a horticultural business. Mr. Billings was a Justice of the Peace for Santa Clara township, having been elected in 1863, and served in that capacity for six years, being also a Notary Public, when he was instrumental in procuring title, from the United States Government, to the present town site of Santa Clara. In 1871, was appointed Postmaster, a position he still holds, and in 1872, purchased, of James G. Barney, the variety store, in the Post-office Building, which he disposed of four years after. He connected himself with the Order of Odd Fellows, in June, 1845, and has been a contributing member from that date, with the exception of about three years. He was one of the few to whose efforts are due the erection of the Odd Fellows' Building—one of the best in the town. In all public enterprises he has been a peer to the best. Married, June 29, 1859, A. A. Billings, by whom he has four children, viz.: Grace E., born June 26, 1863; Florence L., born January 15, 1868; Mattie B., born December 14, 1870; William E., born May 1, 1872.

John R. Billings. Born in Washington county, Maine, March 16, 1836, where he resided until he came to California, in November, 1853. After

working at blacksmithing for three weeks, on first arrival in San Francisco, he moved to Columbia, Tuolumne county, and commenced mining, and there resided until 1860, being interested, during that time, in a saw and quartz mill. In the Fall of that year, he came to Santa Clara county, and bought the place on which he now resides, from his brother-in-law, James M. Billings. Married, at Santa Clara, September 28, 1864, Aimee L. Tompkins, and has two children: Aimee L., born July 21, 1865; William, born July 7, 1867.

Rev. John E. Braly (*Deceased*). This reverend gentleman was born in Rowan county, North Carolina, January 27, 1805. When an infant, he accompanied his parents to Tennessee, and there resided until the year 1815, when they moved to Missouri, living in Cape Girardeau county for a space; they then transferred their domicile to Crawford county, in the same State; there dwelt until 1847, when the subject of our sketch started for Oregon, by way of the plains. Here Mr. Braly rented land and engaged in farming, until 1849, when he removed to California, settling in Fremont, Yolo county, being then employed in conducting a public house. In the year 1850, he came to Santa Clara county, settled in the township of that name, on a farm of one hundred and sixty acres, near Lawrence's Station, on the line of the Southern Pacific Railroad, where he died. The Reverend Mr. Braly commenced preaching when he was about twenty-one years of age, and so continued his spiritual teachings until his death. In denomination he was of the Cumberland Presbyterian Church, being, it is thought, the first of that sect in the State. He died respected by a large circle of friends. He married, in Crawford county, Missouri, September 21, 1830, Susan Hyde, still a resident of this county, by whom there were seven children, viz.: Sarah A., Mrs. Dr. Ben Cory, born August 3, 1831; J. C., now in Oregon, born February 9, 1833; John H., a Professor in the State Normal School, born January 24, 1835; Margaret E., born May 24, 1837; Frank C., born May 13, 1839, died September 2, 1862; Susan J., born March 1, 1844; E. A., the present manager of the homestead, born November 11, 1846, who married, at San José, December 4, 1877, Millie Blythe, and has one child: Elith, born July 23, 1879.

E. H. Davies. Was born in Sidney, Kennebec county, Maine, June 6, 1825. He worked on the farm on which he was born until he was nineteen years of age. He then struck out to shift for himself. First going to Boston and hiring out with Messrs. Fuller & Son, bell-hangers, No. 17 Devonshire street. This gave Mr. Davies a great opportunity of seeing all parts of the city, and also seeing the interior of the finest dwellings and hotels. In 1845 he returned to Maine, and went into manufacturing fancy sleighs

and buggies. At this he worked until 1850, when he went to Kenosha, Wisconsin, and worked in his brother's machine shop for one year. The year 1851 found him in Chicago at work in the extensive machine shop of Messrs. H. H. Scovell & Sons, situated on Canal street. In 1852 he returned to Maine, and went into his old business, that of carriage-making. In 1853 he took passage on board the ship *Plymouth Rock*, of Boston, bound for Melbourne, Australia. After arriving in Australia he went forthwith to the gold diggings, first locating at the McIvor, next at the Bendigo, and lastly at the famous Ballarat diggings. After about one year's tarry in Australia, the startling news that fabulous gold diggings had been discovered in South America, on the Amazon river, was received; he at once shipped on board the ship *Sul Susa*, bound for Callao, South America. On arriving at Callao he found he was "sold," so he took up his quarters in Lima for a few weeks, and then shipped on board the steamer *Santiago*, bound for Panama; here he got employment making specie boxes. After a short stay in Panama he shipped on board the steamer *John L. Stephens*, bound for San Francisco, California, arriving there in 1854. He went directly to the mines in Tuolumne county, but shortly returned to San Francisco; and in the Fall of that year he ran the first threshing-machine ever built in California. In 1855 he located in Santa Clara, managing a small shop for L. A. Gould, the artesian-well borer, for one year. In 1856 he started the Santa Clara Machine Shop, situated on Main street, which he conducted for fourteen years, by hand, wind and steam. In 1867 he closed up the Santa Clara Machine Shop, married a Mrs. Barney, after which he went to Massachusetts and purchased one of the most complete outfits for a *first-class* machine shop that has ever been shipped to this coast. In 1868 he built the present Davies' Machine Shop, which is forty by sixty-six feet, three stories high, and located on the corner of Jackson and Liberty streets. This shop has never been closed, except three months, while Mr. Davies visited the Centennial. Mr. Davies has been somewhat of a traveler; he has been over the Isthmus twice, across the continent four times, and has traveled the entire circumference of the earth once.

Col. Peter J. Davis (*Deceased*). Was born in North Carolina, in the year 1798. When twenty-three years of age he immigrated into Tennessee, and was appointed Colonel of a regiment of volunteers, called out for service in the expulsion of the Cherokee Indians from that State to Red river, Arkansas. In 1842 he moved to Carl county, Missouri, where he engaged in farming. During the Mexican campaign he served as a volunteer under Colonel Price, and at its close returning to Missouri, started across the plains to California, April 17, 1848, he being one of the explorers of the route known as Lassen's Cut-off. His comrades on the occasion were Andy Ken-

nedy, David and John Plemmonds, a family named Martin, and another called Brown, all of whom endured many hardships and severe trials from want of food, etc., adding another to the long list of misadventures with which the path to the Pacific coast was strewn. The party arrived at Feather river in October, 1848, and our subject embarked in mining operations, being at the same time associated with Mr. Winters in the Coloma saw-mills, in the tail-race of which gold was first discovered. The Colonel remained on the Feather river until June, 1850, when he came to Santa Clara county and engaged in stock-raising and farming. In the year 1856 he located a stock ranch near Benson's Ferry, San Joaquin county, and there resided until his removal to Humboldt county, where he died in 1873. He married, August, 1817, Phoebe F. Hunter, by whom he had twelve children, three of whom survive their parents. Mrs. Davis died in July, 1849, on the Feather river. The Colonel married, secondly, Mrs. Elvira Huntley.

Schuyler B. Davis. Was born in North Carolina, December 24, 1824, where he received his education and was reared a farmer. In 1836 he commenced a three years' course at the Estabrook College, which completed, he engaged in teaming between Knoxville and Augusta, Georgia; at the end of two years and a half he took charge of a toll-road for his father, and in 1842 emigrated to Missouri and embarked in farming. In 1845, he sold a number of beef cattle to Samuels & Haynes, Liverpool packers, and in 1846 entered in a like business for the government of the United States, to be used in the Mexican campaign, and which at the instigation of Colonel Price he superintended the driving of to Santa Fé, whence he returned home. However, in 1850, he once more crossed the plains to California, and came direct to Santa Clara where he arrived September 8th of that year. In 1851 he returned to the Eastern States, having sailed for Panama from San Francisco September 2d, but was shipwrecked off Cape St. Lucas, whence they were towed into Acapulco, and thence to the city of Mexico by mule-train, then by stage to Vera Cruz and afterwards shipped to New Orleans, arriving at home November 6th. Early in 1852 he commenced his journey back to California, accompanied by his wife and child; they arrived at Placerville July 17th, and continued their way to Santa Clara. In August, 1856, he took possession of the farm on which he now resides. Married, September 2, 1846, Lucinda F., daughter of Colonel John Beaty, of Chariton county, Missouri, and has: Sarah E., now Mrs. Baker; Emma H., and Charles C.

John H. Dibble. Whose portrait appears in this book, was born in Pittsburgh, Pennsylvania, April 21, 1819. When two years old he removed with his parents to New Lisbon, Ohio, having learned the tinsmith trade

in Pittsburgh with R. M. Dawson. After traveling through several States he settled in New York City where he followed his business for eleven years. August 5, 1854, he embarked for California on the steamer *George Law*, and was on the Isthmus of Panama four days; took passage on the steamer *Sonora*, Captain R. Whiling, and arrived in San Francisco August 31st. Remained in San Francisco in the employment of G. & W. Snook until April, 1857, when he came to Santa Clara where he established his present stove, tin and work shop. Mr. Dibble has been a member of the Town Board of Trustees of Santa Clara seven years, and five years on the Board of Education. He has been a member of Santa Clara Lodge, No 52, I. O. O. F., twenty-four years, and Treasurer of the same fifteen years; is a Charter Member of Santa Clara Encampment, No. 32, I. O. O. F., established January, 1868. Married, in Santa Clara, May 7, 1860, Lucy Parker, who was born in Chillicothe, Ohio, March 4, 1841, by whom he has four living children, viz.: George Ira, born February 10, 1861; Frank M., born September 27, 1862; Julia, born May 21, 1866; Charley W., born November 25, 1872.

R. B. Donovan. Born in Georgetown, Sussex county, Delaware, Saturday, March 8, 1823. When twelve years old he accompanied his parents to Cass county, Indiana, there engaging in farming and lumbering until he started for California, February 23, 1853. Traveling by way of the Isthmus of Panama, he arrived in San Francisco on the 3d April, and soon after proceeded to the mines, near Placerville, El Dorado county. In July of that year he left the pursuit of gold and came to Mission San José, now Alameda county, where he engaged in the live-stock and butcher business for ten years. In 1863 he transferred his habitation to the town of Santa Clara and established a mining-stock business. In 1867 he opened his present market in Santa Clara, in a handsome building, fifty by eighty feet, besides which he possesses considerable real estate in the town, as well as a one hundred and thirty-acre farm, about two miles from it. Married, at Georgetown, Indiana, September 16, 1844, Julia Meyers, and has: Napoleon, Clara E., Zulemi, F. C., Owen, Dollie, Cornelia, Nettie.

Captain Frank Dunn. Was born in the State of Maine, July 27, 1833. He commenced a seafaring life quite young, his parents in the meantime taking up their residence in Gloucester, Massachusetts, where he resided at intervals until 1861. From the smallest beginnings he has risen to positions of responsibility, attaining command of a sailing vessel at twenty-four years of age, and since being master of different ships and steamers. For several years he was in the employ of the Japanese Government, and commanded for four or five years the Mitsu Bishi steamship *Tokio Maru*, formerly the *New*

York, belonging to the Pacific Mail Steamship Company. In 1878 he came to Santa Clara county, purchased ninety acres of land, near Lawrence's Station, erected a handsome residence thereon (*Okubo Villa*), which is replete with many valuable curiosities of Oriental art, while the building, which is English in design, is surrounded with grounds of the utmost taste and beauty. Captain Dunn, at the present writing, is in China, attending to business affairs, his wife being the occupant of their lovely home. Married, in Gloucester, Massachusetts, June 19, 1861, Helen M., daughter of William Fears, of a prominent and well-known family of that State.

Jacob Eberhard. Born in Germany, May 5, 1837. In the year 1852 he left his native country and came to the United States, proceeding to Galena, Illinois, where he prosecuted his calling of harnessmaker. After visiting St. Louis, Missouri, and other cities, he started *via* Panama for California. In the year 1858 he landed at San Francisco; going at once to Sacramento, where he engaged at his trade until 1865, when he came to Santa Clara and purchased an interest in the tannery in that town. Eighteen months later he bought the remaining shares of his partners, and is at present the sole proprietor of the establishment. Married, at Santa Clara, November 1, 1864, Mary Glein, a native of Germany, by whom he has nine children, viz.: Luisa, born November 9, 1867; Mary, born March 3, 1869; John J., born February 6, 1871; Clara, born August 18, 1873; Eimelia, born April 7, 1875; Matilda, born January 3, 1877; Hilda, born January 27, 1878; Henry P., born May 20, 1879; Ottelia, born May 24, 1880.

F. E. Farmer. Born in Bel Air, Harford county, Maryland, where he resided until he was about nine years of age when he made a voyage to Brazil, in his uncle's ship, and there received his education. He came to California *via* the Straits of Magellan, in the steamer *Tennessee* in the year 1850, and remained in the employ of the Pacific Mail Steamship Company about four years; was on board the steamer *S. S. Lewis*, being one of her complement when she was wrecked on the northern coast of California. On this occurrence he returned to San Francisco and worked for some two years in the Vulcan Foundry, when he removed to Santa Clara, where he has been farming for nearly twenty-four years. He disposed of his ranch in 1880. Mr. Farmer was a Deputy County Assessor from 1876 to 1879, and at the regular charter election of the town of Santa Clara, held April 4, 1881, was elected to the office of Town Marshal. Married, at Watsonville, Monterey county, April 16, 1858, Mary A. Ryan, and has five children, viz.: Frank, born July 16, 1859; Henry, born July 14, 1861; James, born January 16, 1865; Frederick Edwin, born March 4, 1872; Edith Catherine, born February 22, 1875.

Otto Finger. Born in Germany, where he learned the trade of landscape gardener. In the year 1868, Mr. Finger came to the United States and direct to San Francisco, where he followed his business for some time. He then proceeded to Portland, Oregon, and about five years ago established himself in Santa Clara, where in addition to his legitimate occupation he conducts the resort known as Finger's Park. This gentleman is regarded as unexcelled in his particular line, and has laid out many fine parks in this, and his native land. Married, at San Francisco, May, 1874, M. Singstarken, by whom he has one child: Otilia, born at Santa Clara, March 21, 1876.

Hon. Frederick Christian Franck. The subject of the present sketch was born at Wäslbacherhof, in the Kingdom of Bavaria, Germany, December 23, 1828. He left his native country in the year 1846 and emigrated to the United States, settling in New York City, where he worked at his trade of saddler and harnessmaker for about eighteen months. At the end of that time he removed to Cleveland, Ohio, and thence to Louisville, Kentucky. Remaining there but a short time, he found his way to St. Louis, Missouri, from which point he proceeded down the Mississippi river to New Orleans; from there to Texas, and afterwards to Natchez, Mississippi, where he continued at his trade for three years. Leaving Natchez, he started for California by way of New Orleans, Havana and Chagres; crossing the Isthmus of Panama on foot, he resumed his journey on board the steamer *Golden Gate*, and ultimately landed at San Francisco in the month of February, 1852. Two weeks after his arrival in California Mr. Franck proceeded to the mines at Long Bar on the Yuba river, but not meeting with success in this venture he returned to San Francisco. A month later we find him at Morrison's ravine, on the Feather river, where he worked in the mines for a term of six months. He then went to Shaw's Flat, Tuolumne county, where he remained but a short time. We next find him at Murphy's Camp, Calaveras county, from which place, after a brief sojourn, he proceeded to Columbia, Tuolumne county; mining there until the Fall of 1853, he once more returned to San Francisco, and engaged in the saddlery business until March, 1855, when he came to San José; staying here one month, he removed to Santa Clara, and entering the employ of H. Messing was soon taken into partnership. In the Fall of 1859 Mr. Messing retired from the firm and Mr. Franck continued the business in his own name until 1875. During his residence at Santa Clara Mr. Franck has enjoyed the entire confidence of his fellow-citizens, having been elected to various positions of trust. He served as Town Trustee for eight consecutive years, and has been an active member of the Fire Department since February 1, 1856. Upon the creation of the office of Chief Engineer of the latter body in 1875 he was elected to fill this position, and was continued in office until June, 1881. He is

also a Past Grand, in good standing, of Santa Clara Lodge No. 52, I. O. O. F., and a Charter Member of Encampment No. 34. Mr. Franck has always been identified with the Republican party, and in recognition of his services was in 1871 elected to the Assembly for two years, and at the expiration of this period was re-elected for a similar term of office, serving his county faithfully and well. In September, 1857, he was married, at Santa Clara, to Miss Carolina Durmeyer, and has two children living, the elder of which, Carolina S., was born June 28, 1871, and the younger, Frederick Christian, Jr., August 17, 1873.

Andrew T. Gallagher. The subject of this sketch was born in New York City, May 4, 1831. He sailed for California, in the bark *John W. Caton*, via Cape Horn, October 18, 1848, and arrived in San Francisco March 14, 1849. Two weeks after, he purchased the launch *Mary and Catherine*, but sold her when he had made a few trips to Sonoma. He now proceeded to the mines, at Sullivan's Camp, Tuolumne county, but at the end of four months, removed to Santa Clara county, obtaining employment in the redwoods, but only remaining there four weeks; then he commenced teaming between that point and Alviso. He next commenced the occupation of freight carrier, from Alviso to San José and Santa Clara, a business he pursued for two years, when he became clerk in the warehouse at the first-mentioned place. About this period he commenced farming on his present ranch, going to reside there in June, 1853. In 1850, Mr. Gallagher was elected Constable of Washington township (now comprised in Alameda county); in 1851, was chosen to the position of Marshal of the town of Alviso; while he has severally held the offices of a School Trustee and Roadmaster. Married, at Alviso, September 26, 1852, Maria Remonda, daughter of John Martin, who died May 31, 1879, by whom he has had fourteen children. The following are the names and dates of the birth of those living: Martha, born May 1, 1855; Andrew T., Jr., born March 17, 1857; Edward E., born December 26, 1860; Richard, born August 10, 1863; George F., born September 18, 1865; Bascaleseria, born July 13, 1867; Alford, born April 5, 1869; Charles W., born June 7, 1871; William, born June 16, 1873; Mabel S., born November 18, 1875.

August Habich. Born in Hesse Cassel, Germany, December 24, 1837. When eighteen years of age, he came to the United States, direct to California, and at once proceeded to Santa Clara, where he was employed in the store of his brother. In 1863, he visited Germany, married, returned to Santa Clara, and established the business he now conducts. Five years ago he constructed the very substantial store he now occupies, being one hundred and ten feet by forty in dimensions, on the site of the former adobe

building used for the purpose, while later he purchased from E. Cramer, the large steam feed-mill in Santa Clara, where he transacts a large and profitable business. Married, in Frankfort-on-the-Main, by the Consul for the United States, April 6, 1864, Augusta Cramer, and has three children: Martin, born March 18, 1865; Walter, born September 7, 1868; Bertha, born September 18, 1872.

Captain R. K. Ham. The subject of this sketch was born in Stafford county, New Hampshire, August 3, 1821, where he passed the earlier years of his life. At the age of nineteen years, he sailed on a whaling voyage in the ship *Eliza Adams*, from Fair Haven, to the South Pacific, during which he visited many parts of South America and the South Sea Islands, from off one of which (Easter Island) they took a boy, kept him until he learned to speak the English language, and returned him at the end of eighteen months. At the close of three years he returned home and engaged in the Atlantic coasting trade until 1848, when he sailed in the ship *Capitol*, via Cape Horn, for California. July 19, 1849, he arrived in San Francisco, but remaining there only two months, he left for Murphy's New Diggings, Tuolumne county, worked there for a couple of months, and then proceeded to Stockton, where he was employed in building a hotel, at twelve dollars per day wages. This establishment was destroyed by fire the day after its completion. Captain Ham now returned to San Francisco, and in the Winter of 1849-50, constructed a sloop called the *Robin*; in April, he loaded her with lumber, at the freight of forty dollars per thousand feet, and with her traded between San Francisco and different points on the Bay, until July, 1853, at which date he was the owner of seven coasters. In August, 1853, he came to Santa Clara, built a livery stable and opened it on December 26th of the same year, continuing in that business ever since. The Captain is a partner in the firm of Renton, Holmes & Co., lumber dealers of San Francisco; he also owns six hundred and fifty acres of the pueblo lands in the Santa Clara valley, as well as three hundred and twenty more in the Calaveras valley, Milpitas township; is one of the Directors of the Bank of Santa Clara County; and possesses much property in different parts of the State. Is unmarried.

Walter F. Hargis. Born in Smith county, Tennessee, February 7, 1825. When eight years of age he accompanied his parents to Graves county, Kentucky, and there resided until 1847. In that year he went to Mexico as a volunteer in Company B, Second Illinois Regiment, Colonel Bissell commanding, attached to the division of General Wood, and with them proceeded through Texas, crossed the Rio Grande at Presidio, thence into Mexico to Buena Vista, where, February 22 and 23, 1848, he took part

in the battle fought. Remaining here until May, the corps was marched to Camargo, where Mr. Hargis was honorably discharged, his time having expired. He then returned to Kentucky, where he remained until 1850, in which year he crossed the plains to California, with horse teams, and arrived at Hangtown (now Placerville), El Dorado county, September 12, 1850. He first proceeded to Pedro Bar, Tuolumne county, where he mined until February, 1852; thence to Santa Cruz county, and there farmed until 1853. He then moved to Watsonville, in the same county, where he followed the like occupation for two years. In 1855 he went to Shasta county, and mined on the Trinity river until July, 1858. Next we find him at the Frazer river diggings, but not finding anything there he returned to California, came back to Santa Clara county, and located about a mile south-east of the spot where he now resides. In 1863 he disposed of the farm, and moved to San José, but at the end of eight months, purchased his present property of two hundred and forty acres. Mr. Hargis married, firstly, March 28, 1861, Susan Campbell, who died December 9, 1869; and secondly, May 21, 1871, Libbie Messersmith. He has five children, viz.: Walter L., born June 24, 1869; Jessie U., born June 6, 1873; Fred. S., born February 4, 1875; Frank M., born March 20, 1879; Harry E., born May 12, 1881.

A. B. Hunter Whose portrait appears in this work, was born in Augusta county, Virginia, November 26, 1826. When quite young he accompanied his parents to Illinois, and after a short time, with his half-sister, went to Washington county, Missouri, and there received his education. Mr. Hunter was engaged in business in that State until 1849, when he crossed the plains to California, and immediately proceeded to Bidwell's Bar, on the Feather river, where he remained until the Fall of 1850. He now moved to American valley, Plumas county, where he was one of the first settlers. In 1852 he came to Santa Clara county, and remained two years. In 1855 he returned, however, and located on his present farm of one hundred and sixty acres, where he has erected a fine residence. He is Treasurer of the Santa Clara Cheese Factory. Married, at Santa Clara, September 18, 1855, Ann Rutledge, and has: John F., born August 22, 1856; Minnie J., born May 12, 1858; Frank A., born October 7, 1860; Carrie T., born January 15, 1863; Ernest A., born November 26, 1874.

Hon. Samuel I. Jamison. The subject of this sketch, whose portrait appears in this work, was born in Alleghany county, Maryland, June 26, 1828, where he resided on a farm until he was sixteen years of age. He then went to Cumberland to a high school for two years, after which he entered a mercantile house, and served as a clerk until he was twenty-one, when he started for California, landing in San

Francisco in October, 1849. He almost immediately started for the mines, his first month of gold-seeking being near Chinese Camp, Tuolumne county. This experience would appear to have satiated the desire of Mr. Jamison, for we find him, in December of the same year, in company with Philip Mendenhall of Alameda county, getting lumber out of the redwoods with whip-saws. Here he worked during that Winter, 1849-50; in the Spring the supply was "hailed out" and sold. That season (the Spring of 1850) he located the ranch he now occupies, about three miles from the city of Santa Clara. In the Fall he took up his residence thereon, and has lived there ever since. It comprises one hundred and eighty-five acres of land, of excellent quality, which produces strawberries, grain, and hay, in abundance, while the residence and offices are replete with every modern improvement. In the year 1869 Mr. Jamison was elected to the Board of Supervisors of Santa Clara county. In 1875 he was called by the voice of his fellow-citizens to represent the county in the House of Assembly, when he ran ahead of all other candidates; while we may observe that his first vote was cast in the Democratic cause, from whose principles he has never swerved. He is a Director of the Bank of Santa Clara County, and President of the Santa Clara Cheese Manufacturing Company. Mr. Jamison has thrice been wedded, on the last occasion, to Carrie W. Cleneay, of Missouri. His three wives were reared within a stone's throw of each other. He is the father of fifteen children, eleven now living. The names and dates of their birth are: Emma S., born March 30, 1860; Robert H., born August 21, 1862; Ora B., and Pauline J. (twins), born June 23, 1866; Frank C., born October 21, 1870; Mary Etta, born February 9, 1872; Howard, born May 27, 1873; Eva, born December 25, 1874; Lottie C., born April 13, 1876; Samuel I., born January 31, 1878; Relfe L., born June 24, 1880. Those deceased are: Joe S., born December 28, 1854; Mollie E., born December 8, 1855; Belt P., born January 22, 1857; Eddie P., born July 3, 1861.

James M. Kenyon. Born in Adams county, Ohio, May 29, 1817, and there received his schooling. After learning the trade of carpenter, he continued to work at it in Cincinnati, and different parts of Iowa and Illinois, and finally returned to his native home in Ohio, from whence he moved with two of his brothers to Nodaway county, Missouri, where he settled on a farm cornering in Fillmore, and there resided until May, 1849, when he came to California, *via* the Hudspeth route. Arriving at Ringgold, El Dorado county, the 5th of October of that year, he spent the Winter there and moved to Coloma in the Spring of 1850. In the Fall he moved to San José, where he built a house half-way between First street and the Coyote bridge, and in the same Fall moved to his present home of two hundred and forty-

two acres, two miles and a half west of Santa Clara, where he still resides. He was married in Nodaway county, Missouri, April 6, 1843, to Martha Roberts, a native of Lewis county, Kentucky, by whom he has five children living, viz.: Sarah F., now Mrs. Gardner, born April 20, 1845; John F., born March 11, 1855; Eunice E., born June 1, 1859; Benjamin F., born March 1, 1861; James M., born February 26, 1863.

John Jacob Laederick (*Deceased*). Born in Malhause, France, January 22, 1822. In 1848 he emigrated to the United States, and for two years was engaged in business in New York City. In 1850 he came to California, went to the Southern mines for three years, then proceeded to San Francisco, where he worked at his trade for a few years, and then embarked in a fruit business which he conducted until 1859. In that year he settled in Santa Clara county, on the place where his widow now resides, where she owns one hundred and sixty acres, principally managed by their son. Mr. Laederick died January 13, 1874. He married, in France, December 6, 1846, Luisa Weiss, by whom there were the following children: Julius N., born in France, December 8, 1847; Edmund, born in New York, July 27, 1850; Albert H., born in San Francisco, April 22, 1854; Lottie L., born in San Francisco, December 29, 1858; Emilie L., born in Santa Clara county, July 21, 1861; Victor H., born in Santa Clara county, March 29, 1865; Walter O., born in Santa Clara county, March 4, 1870; Emma C., born in San Francisco, November 22, 1855, deceased.

George Lauck. Born in Germany, June 27, 1830. In the year 1855 he came to the United States, and after working three years in New Jersey, removed to Galena, Illinois, where he was employed in a brewery until the breaking out of the Rebellion. Mr. Lauck now enlisted in the Twelfth Illinois Regiment, and with it served until the cessation of hostilities, when he received an honorable discharge. He then obtained employment in a brewery until 1868, in which year he came to California, and for the first five years worked at the same business in San Francisco; thence he moved to Castroville, Monterey county, purchased the brewing establishment conjointly with Louis Meyer, managed it until 1878, when he sold out and bought the Santa Clara brewery, where he now carries on a profitable and increasing trade. Married, at Galena, Illinois, Marie Magdalena Eberhard, and has six children, viz.: Julia, born June 20, 1860; Emma, born March 4, 1868; Lena, born May 30, 1870; George, born April 17, 1872; Frank, born May 8, 1874; Clara, born June 18, 1876.

John G. Messersmith. Born in Fayette county, Indiana, August 17, 1846. When ten years of age he went with his parents to Marion county, in the same State, where he received his education and resided on a farm until

August, 1873. He enlisted in the Fifty-first Regiment of Indiana Volunteers; served three years; discharged from the United States service at San Antonio, Texas, December 13, 1865, and returned home to his parents. In 1870 he came to California by railroad and settled in Santa Clara county, in the month of October of that year. For the first two years he lived on a rented farm near the town of Santa Clara, but in 1879 he sold out to Mr. Pullan and took possession of his present home of three hundred and fifty acres. Married, in Indiana, December 22, 1867, Miss S. A. Smith, of Indiana, by whom he has three children: Ida May, born December 2, 1868; Clarence Walter, born February 4, 1871; Claude Raymond, born August 17, 1873.

Luther R. Mills. Born in Delaware county, New York, May 4, 1824. In 1842 he went to New York City and engaged in the commission business; here he resided until he started for California, January 18, 1849, and after a voyage through the Straits of Magellan, arrived in San Francisco July 3d. Here he entered into mercantile pursuits; at the end of three years he embarked in the wholesale liquor trade, the largest importers and jobbers in that city, continuing in it until 1869, when, on account of ill-health, he closed out, came to Santa Clara county, purchased the furniture and fixtures of the Congress Springs Hotel, leased the springs and hotel and conducted them for five years, when selling out he bought the Seltzer Aperient Springs in Santa Clara township (a description of which will be found on page 43 of this work), and there established a soda and sarsaparilla manufactory in connection with the bottling of the seltzer water, which he continues up to the present time.

Samuel Morrison. Born in Carroll county, New Hampshire, September 27, 1822; at the age of ten years he went to Boston, Massachusetts, where he received his education and resided four years, then returning for a like period to his home. At the end of this term he came back to Boston, entered a store and there remained until January 26, 1849, the date of his sailing for California *via* the Straits of Magellan. On July 6th of the same year he landed in San Francisco, but after a few days went to the mines at Mormon Island, Sacramento county; some weeks later he moved to Murderer's Bar on the middle fork of the American river, where he remained until November; he then proceeded to Drytown, Amador county, where he passed the Winter; in the Spring following he mined in different portions of that county; and in June left the district for the Santa Clara valley, arriving in San José July 1, 1850. Ten days later he settled in Santa Clara township, located one hundred and sixty acres of land, and farmed it for about eighteen years. Mr. Morrison still owns a portion of this original tract. He next moved into the town of Santa Clara, erecting the gas-works

there in the year 1871, and conducted them for five years, when he disposed of his interest to the San José Gas Company. Has been collector for the San José Water Company for nine years; served as County Supervisor in 1855-56; as Justice of the Peace in the years 1860, 1867, and 1873; and carries on the business of a gas-fitter. Married, in Boston, Massachusetts, November 25, 1845, Lucy A. Higgins, by whom he has two children: Sally S., born March 24, 1860; Samuel H., born March 3, 1866.

William Morrison. Born in Dearborn county, Indiana, February 18, 1820. He received his education and was reared in Marion county, in the same State; at the age of eighteen years moved to Iowa, and there remained, farming, until 1849, when he came to California by way of the plains, with ox-teams, arriving October 6th. He first essayed mining at Placerville, El Dorado county, there making as much as two hundred dollars per day with a rocker, and combined with that enterprise the business of a butcher. In 1850 he settled near Centreville, Alameda county, and there, in company with his brother-in-law, the well-known William Tyson, farmed extensively until 1875, when he purchased his present ranch in Santa Clara county, on which he has erected a comfortable residence, containing all modern improvements. Mr. Morrison owns one hundred and sixty acres of excellent land, on which he has laid out a forty-acre orchard of apricots, prunes, and almonds. Married in San Francisco, November 24, 1864, and has four children, viz: Allen E., born December 20, 1866; Grace, born December 29, 1868; Edith and Ida (twins), born April 16, 1875.

Hon. Rush McComas. Born in Cabell county, Virginia, January 13, 1830. In 1841 went to Platte county, Missouri, with his parents, where he worked on a farm until seventeen years of age, when he was employed in a country store. In 1853 was elected Assessor of the county, but resigned the office to embark in the mercantile business, and was for several years extensively engaged in the purchase and shipment of hemp and other products to the St. Louis and New Orleans markets. In 1857-58 tried his hand at steamboating on the Missouri river, but not finding it remunerative, returned to his business in the town of Parkville, Missouri, where he was doing well when the civil war came on and swept away the labor of years. Came to California November 1, 1861; he landed in San Francisco from the Panama steamer, and came direct to Santa Clara county. In 1864 settled on the farm on which he now resides, comprising eighty-eight acres, where he cultivates fruits, hay, and vegetables, and engages in dairying. Mr. McComas is Secretary and Business Manager of the Santa Clara Cheese Factory, situated not far from his residence. In 1877 he was elected as one of the Members to represent this county in the Twenty-second Session of the Legislature.

and in 1878 was elected one of the Delegates to the Constitutional Convention, and in 1879 was again elected Member of the Assembly, Twenty-third Session. Is a Republican in politics. Married, August 3, 1853, Ann E. Swope, and they have had eight children, all living: William B., born June 19, 1854; Cora, born November 17, 1856; Ella, born February 1859; Harriet, born July 6, 1861; Anna, born March 16, 1864; Katy, born March 29, 1866; Ellen, born January 10, 1868; Henry, born September 25, 1871.

Cary Peebels. The father and mother of Cary Peebels were natives of Virginia, but in 1800, about the time that the wonderful agricultural resources of Kentucky began to develop themselves, they packed up their household goods and made part of the tide of emigration that had begun to flow into what was then the far West. They settled near the site of the present city of Lexington, and here, on the 12th day of April, 1808, the subject of this sketch was born. When he was eight years of age, his father moved to St. Louis, Missouri. Here he established and conducted the first hotel ever kept in that city by an American. The guests who frequented his house were such men as Hon. Thomas H. Benton, Bennett Riley (afterwards General Riley, and Military Governor of California in 1849), Major Ramsey, David Barton, L. W. Boggs (afterwards Governor of Missouri), General Atkinson, and others of a national reputation. In 1817, or when Cary was nine years old, the first steamboat that ever came up the Mississippi river put in an appearance, and although then but a mere child, Mr. Peebels remembers distinctly the commotion and rejoicing that this event excited. The name of the boat was *General Pike*, and although hundreds of better boats have tied up at the wharfs of that city, none have ever created the interest that this one occasioned. Mr. Peebels, with his father, rode on the *Pike* on her trial trip to Bloody Island. In 1818, Mr. Peebels' parents moved to what was then called Boone's Lick settlement, but is now known as the town of Franklin. His father opened a hotel and conducted it until 1819, when he died. The hotel was then continued by Mr. Peebel's mother. It was during this year (1819) that the first steamboat ventured up the Missouri river for Council Bluffs. Her name was the *Missouri Packet*, and the people of that town, in their excitement over the event, gave a grand barbecue dinner to the officers of the boat and of the army. The result was that too much wine was put on board, and the boat was run on a snag and sunk, becoming a total loss. While at St. Louis his father's house was situated on the bank of the river where the shore end of the ferry to Bloody Island was located, and, during his residence there, many of the duels were fought that gave the Island its name. Most of these encounters were witnessed by the boy Cary, who, when parties would cross the ferry with hostile intent, would climb the bluffs and have a plain view of the encounter. He witnessed the

famous meeting in which Tom Benton shot Lucas. When the latter was shot, he was brought to Mr. Peebels' house and Cary stayed with him several hours. He also saw the duel in which Major Ramsey was killed. Mr. Peebels' house being close to the ferry nearly all the men wounded on Bloody Island were brought there. In 1829, Mr. Peebels then being about 21 years of age, the Indians became very troublesome. They made frequent attacks on the frontier settlements, killing the settlers and running off stock, burning dwellings and committing all sorts of depredations. A regiment was formed to make an expedition against the savages and punish them for their outrages. Judge Redman, who afterwards became a noted character in Santa Clara county, was Colonel of this regiment. Mr. Peebels enlisted in the regiment, and had three weeks of about as hard marching as troops were ever called upon to do; but, with all their traveling, the Indians were too fast for them and they never got a shot at a redskin during all the time they were out. At this time Judge Redman was a physician, practicing medicine in Franklin, and was noted among all the settlements for the enormous doses of calomel he was in the habit of inflicting on his patients. In this year Mr. Peebels was employed in the store of E. M. Ryland, an uncle of Hon. C. T. Ryland, now of San José. While working for Mr. Ryland he was sent to Lexington in 1830 with a stock of goods. These he sold out without much trouble. About this time Mr. Ryland was appointed Receiver of Public Moneys, and retired from business. Mr. Peebels then moved to Rocheport, Missouri, and from 1832 to 1844, was Postmaster of that town. In 1836 he came to the conclusion to load a flat-boat with produce of different kinds and make a trip to New Orleans. At this time the Mississippi river was running over its banks, and Mr. Peebels and his men being green at this kind of navigation, often found themselves in the woods, or floating over somebody's plantation, instead of the river channel. He finally reached New Orleans in safety and managed to dispose of his cargo, and by trading round made a thousand dollars on the trip. In April, 1838 he was made a Free Mason. After his journey to New Orleans he returned to Missouri, and continued in the general merchandise business, besides packing pork and bacon for the New Orleans trade. He also built and run a horse ferry-boat across the Missouri river. The man who built this ferry assisted in building the first steamboat on the Ohio river. In 1843 he was married to Miss Teresa Cavanaugh, of New York. The circumstances attending this wedding are rather romantic. He had been in the habit of buying goods in Philadelphia, and in 1843 went East for that purpose. He made the journey by way of the Lakes, intending to reach Philadelphia *via* New York. He stayed a few days in the latter place and then started for the Quaker City. He happened to be about two seconds too late to take the ferry-boat. He reached the wharf just as the boat was pushing off. He was thus forced to



John Trumble



remain another day in New York. As he returned to his hotel he met an old acquaintance who insisted on his coming to his residence. Mr. Peebels went with him, and, on arriving at the house, was introduced to Miss Cavanaugh. It was a plain case of love at first sight. He purchased thirty thousand dollars' worth of goods, shipped them, married Miss Cavanaugh and started for home, all within nineteen days. The ceremony was performed by Bishop, now Cardinal McClosky. The union was a most happy one, but his wife died three years afterwards, in 1846, leaving one child. The death of his wife was a severe blow to Mr. Peebels. He broke up his business in Rochepot and moved to Lexington, Missouri, where his child also died. At Lexington he engaged in the business of dealing in family groceries, which business he followed until he came to California. In 1848 he was elected Mayor of the city of Lexington, and held that position until he resigned it in 1849, to cross the plains. In the latter year, in April, Mr. Peebels formed a copartnership with E. W. and T. Pomeroy, for the purpose of loading a train with merchandise and supplies for the mines in California. Their outfit cost them eighty thousand dollars. There were forty-three wagons and three carriages, besides five hundred and sixty head of cattle. In addition to the goods in this train, Mr. Peebels and his partners shipped a quantity of merchandise by water, from New York, expecting to meet it in San Francisco. The trip from Missouri to Salt Lake was made without trouble and without any special incident. At Salt Lake City Mr. Peebels applied to and obtained from Brigham Young permission to sell goods in that city. He improvised a store-room from wagon-boxes and covers, and was soon driving a brisk trade. Shortly after noon an officer came riding up to his establishment and ordered him to close up. This officer called himself a Marshal, and was dressed with all the magnificence that gold lace, tinsel and epaulettes could confer. Mr. Peebels told him that he had obtained permission from Brigham Young to sell goods in any place in the city. The officer replied with a threat that if he didn't close up and move away, he would confiscate his entire stock. After the departure of the Marshal, Mr. Peebels sent a messenger to Mr. Young, informing him of the occurrence and asking him what he should do. Brigham returned answer that if the so-called Marshal came round again, to tell him to "go to h—." The next morning the officer, donned in the loudest kind of regimentals, put in an appearance, and pompously demanded to know why his orders had not been obeyed. Mr. Peebels replied: "Since you were here I have interviewed Brigham Young about the matter, and he instructed me, in case you came round again putting on style, to tell you to go to h—." On hearing this the Marshal turned his horse's head and rode off without uttering a word. Whether he went to the place he was so politely requested to visit is unknown, but it is certain that he never again troubled Mr. Peebels. Here Mr. Peebels succeeded

in disposing of all his interest in the train, and on horseback, accompanied by one man and a boy, he started for California to meet, at San Francisco, the goods which he had shipped from New York. When he started from Salt Lake he carried with him about four thousand dollars in gold coin made at Brigham Young's mint. This was the first money turned out of this mint, and Mr. Peebels stood by and saw it made. He arrived at Sacramento in September, 1849, without experiencing any difficulty or encountering and danger. He was now in California, having been only a trifle over four months on the road. His journey from Missouri to Salt Lake occupied three months, and from Salt Lake to Sacramento a little more than a month. From Sacramento he went down to San Francisco, but as his goods had not yet arrived, he was compelled to make the journey a second time. On his second visit he went down on the steamer *Senator*. The *Senator* was the first steamboat run on the Sacramento, and on her first trip she carried Mr. Peebels from Sacramento to San Francisco. His goods arrived in due time, and he took them to Sacramento, storing them in a canvas house. In a short time after he had his goods under shelter the big flood came. Mr. Peebels was sleeping in the same house with his merchandise. The first intimation he had that the flood was on him was about twelve o'clock at night, when the water had raised so as to reach him while lying in his bunk. The dampness awoke him and he sprang out of bed and was somewhat astonished to find himself waist deep in water, with the bundles, boxes and bales of goods floating about promiscuously. He attempted to secure his property so as to prevent its sailing away, but after working several hours in the water he found it was an impossible task. About three o'clock in the morning a man came along in a canoe. Mr. Peebels hailed him and asked him what he would take for the boat, which was a common dugout. The man replied that his price was one hundred and fifty dollars. The canoe was purchased at this modest sum, and by its assistance Mr. Peebels succeeded in reaching a hotel. His loss by the flood was about four thousand dollars. But this was not the worst of it. His exposure and exertions brought on an attack of typhoid fever which laid him up for twelve weeks. Arrangements for taking care of the sick were very limited in Sacramento at that time, and it is a wonder that he ever recovered. But he pulled through and came out as strong as ever, and went to work with renewed energy. The Messrs. Pomeroy remained at Salt Lake City selling out their goods, until November 15, 1849, when they undertook to come to California by what was then known as the Southern route, *via* Los Angeles. In a snow-storm on the mountains they lost thirty-four wagons and four hundred head of oxen, and finally reached Sacramento City March 25, 1850. The business of general merchants was continued under the name of Pomeroy & Peebels until the Winter of 1850-51, when the Pomeroy's left the country.

Mr. Peebels then joined the firm of Lee & Hamtin under the style of Peebels, Lee & Co., who embarked in mining operations in Grass Valley, in which our subject lost largely and dissolved partnership. In this year Mr. Peebels made his first visit to Santa Clara valley, and was so much pleased with the country that he purchased one hundred and twenty-six acres of ground of John Hoppe, paying therefor seven dollars per acre. This is a part of what is now known as the "Peebels Farm." He had never been a farmer, and at that time never expected to become one. In this year, also, Mr. Peebels was elected Alderman of Sacramento, and served on the Board until he resigned to go to San Francisco. In the Spring of 1852 he went to San Francisco and engaged in the produce business in company with William Campbell, a brother of Thomas Campbell, now of San José. In 1853 the partnership between Peebels & Campbell was dissolved, and the former went into business with John G. Bray, who afterwards removed to Santa Clara, and who was the first President of the Bank of San José. The new firm went under the style of Peebels & Bray. In 1854 he married again, his second wife being an English widow lady named Mrs. Holt. From this union there was one daughter, Kate, born in 1857, and who is still living with her parents. In July of 1855, Mr. Peebels retired from the mercantile business, selling out his interest to W. A. Bray, a brother to John G. He then came to this county and located on his farm, about half-way between Santa Clara and Alviso. Mr. Peebles was in San Francisco several times during the Vigilante troubles, and was a law and order man, although he had no sympathy with the ruffians whose extermination or emigration the Vigilantes were so anxious to accomplish. He was walking down Long Wharf the day that Whittaker and McKenzie were hung from the windows on Battery street. Two young men were walking in front of him talking very excitedly about the execution. One of them remarked, "Yes, and we will hang every d—d scoundrel in the city." Mr. Peebels stepped up to him, and tapping him on the shoulder, said, "Don't do that, my friend, don't do that." The man turned fiercely and demanded the reason that Mr. Peebels interfered in the course of the committee. He replied, laughingly, that he was engaged in the produce business and had a large amount of wheat on hand; that if all the scoundrels in the community were hung there would be no market for his grain, and the price would go down. The men laughed heartily at Peebels' conceit, although they were ready to lynch him a second previously. It was a day of such intense feeling that Mr. Peebels might have been hanged or shot before he had an opportunity for explanation. In the year 1855 Mr. Wadsworth proposed to Mr. Peebels to ship two thousand bags of wheat, to make a start, to load a small ship for New York, stating that it would be the opening of the market for the staple in that city, or, in Europe, if the experiment proved that wheat could be shipped to so

great a distance. He subscribed one thousand bags of that grain which had been raised on his farm, while a Mr. McComb, added a like quantity to proceed in the same vessel, the balance of the full cargo being made up by grain merchants. The return was that the wheat was in good order, the proof being that it netted one dollar and eighty-seven cents per cental. This was the commencement of the wheat shipment from California. Will the reader ponder what that trade amounts to at this date. When Mr. Peebels went on to his farm in 1855, he had four hundred acres of land. Of this he had bought one hundred and twenty-six acres of John Hoppe, in 1851, and from other persons he purchased enough to make up the remainder. At that time there was not a fence between Santa Clara and Alviso, except a little strip on Ferrington's place. He started in to make permanent improvements. He built fences, and introduced new systems of tillage. He started early in fruit, and his experiments have been of great value to the fruit-growers of this valley. He was the second person in the valley to commence the raising of strawberries, and it might be said that he was the first to cultivate them as a permanent crop. Mr. J. H. Kennedy went into the business first, on the Stockton rancho, setting out a field from plants brought here by Mr. Shelton. Mr. Kennedy, however, discontinued the business when strawberries brought less than fifty cents per pound, but Mr. Peebels stuck to it, and has not only made it profitable to himself, but to the whole county. He took great pains with other fruit, one of his first acts being to set out an orchard of choice apples, pears, and quinces. In fact, he is one of the pioneer fruit-growers of Santa Clara valley. In 1857-8, Mr. Peebels was a member of the Board of Supervisors of this county, and this, with the exception of being road overseer, and, from 1869 to 1872, President of the Board of Trustees of the town of Santa Clara, is the only office he has ever held in this county. Taking such an interest as he did in everything pertaining to the development of the agricultural resources of the county, it is natural that he should be identified with the organization of the Agricultural Society. He was one of the projectors of that association, and his efforts materially aided in the raising of funds to purchase the grounds on the Alameda. It was owing, also, to his promptitude, that these grounds were preserved to the use of the society. In January, 1862, the regular officers of the society were elected. Charles Younger had a bill against the society for five hundred dollars, for services as Secretary. He brought suit, and the officers allowed judgment to go by default. At this time Mr. Peebels was unable to drive to town, on account of the big flood that had overrun the banks of the streams, and cut off communication between the city and his farm. One of the officers of the society learned of the judgment, and notified Mr. Peebels of the fact, and also that the Sheriff was about to levy on the fair-grounds to satisfy the

same. Mr. Peebels immediately walked to town through the mud and water and notified the members of the society to meet and see if something could not be done to save their property. A meeting was held in response to his call, a new set of officers were elected, with Mr. Peebels as President. He went to work, with the assistance of other members, and succeeded in raising the money and satisfying the judgment. It was during the time that this matter was pending that he met with the accident that resulted in the loss of one of his legs. He was on his way to attend a meeting of the Board and was driving a colt which he was breaking. Arriving at Lick's Mills, the animal commenced to act badly, and finally, after quite a struggle with the animal, Mr. Peebels jumped from the buggy and received a blow from the colt's heels, which fractured his leg, and resulted in its amputation. Since Mr. Peebels went on to his farm he has actively engaged in no regular business. He has however, taken a lively interest in every enterprise tending to develop the resources of the county, and has given much time, and no inconsiderable amount of money, in forwarding such movements. He was one of the original projectors of the narrow-gauge railroad to Alviso, and for several years labored earnestly to induce the citizens to subscribe money enough to build and control the road. Not succeeding in this, he gave his co-operation to the present company of which he is a Director. When Mr. Peebels came to his farm to reside, he found that there was no good bacon or hams to be had, therefore, having been a pork-packer on the Missouri river, he concluded to make the experiment of packing pork, and making bacon, lard, and hams, at which he succeeded, and gained a reputation, in a short time, which enabled him to sell all that he could cure, he doing a thriving business at the time he became a cripple. He claims to have laid out most of the fair-grounds of the Santa Clara Valley Agricultural Society, and superintended the setting out and cultivating nearly all the trees now growing on the locality. In 1869 he sold off all his farm but the original one hundred and twenty-six acres he purchased of Hoppe. This land cost him seven dollars per acre, in 1859, and he received for it, in 1869, the average rate of one hundred and twenty-five dollars per acre. After this sale he removed to the town of Santa Clara, where he has since resided. His second wife died in Santa Clara, in 1877. Mr. Peebels married, thirdly, September, 1877, Mrs. Elizabeth M. James, a native of New Hampshire, the ceremony taking place in the city of Santa Clara.

Hannibal Pullan. Born in Breckenridge county, February 8, 1826, where he received his education, and resided for the first seventeen years of his life. At this time he went to St. Genevieve county, Missouri, farming there until 1849, in which ever-memorable year, he crossed the plains, with

ox-teams, to California, where he arrived October 27, 1849. Mr. Pullan at once proceeded to try his luck at the mines, at Long's Bar, Butte county, but in the Fall of the following year, transferred his scene of action to Scott's Bar, Siskiyou county, but that same season removed to Sonoma, thence to Yountville, Napa county, where he commenced farming, and resided until 1853. In that year he came to Santa Clara county, located a piece of land, near his present farm, but after three successive years of poor crops, he moved to San Mateo county, purchased a ranch, and there resided until 1876, save a period of eight months, which he passed in Contra Costa county. In 1876, he acquired one hundred and eighty acres of land in Santa Clara township, on which he now resides. Mr. Pullan served for two years as Assessor of San Mateo county. Married, at Napa, September 17, 1853, Mary Bollinger, and has eight children living, viz.: Mary, born in Santa Clara county, September 15, 1854; Joan, born in Santa Clara county, February 27, 1856; Sarah, born in Contra Costa county, August 26, 1858; Alice, born in San Mateo county, June 10, 1861; Emma, born in Santa Clara county, March 12, 1866; Columbus, born in San Mateo county, November 18, 1868; William, born in San Mateo county, July 15, 1872; George F., born in San Mateo county, February 13, 1875.

John A. Statler. Born in Cape Girardeau county, Missouri, September 13, 1829. When twelve years of age, he went with his parents to Platte county, and resided there nearly eight years; thence they moved to Arkansas; thence to Jackson county, which they left, in 1849, for California, by way of the plains, with ox-teams. When the Humboldt river was reached, the party was unfortunate enough to lose half of their cattle by the Indians; hence their hardships were considerable, until their arrival in this State, in October, 1849. Mr. Statler first stayed in Sacramento, where he was variously employed until May, 1850, when he transferred his residence to San José, Santa Clara county, but remaining only a week in that city he removed to Santa Clara township, and settled on the property now owned by Peter Doyle. Here he remained five years; then finding that the land belonged to a Grant, he sold it and proceeded to Contra Costa county, and there occupied a farm until 1858. At this date, he returned to Santa Clara, purchased a place near where now stands the Moreland school-house, and there dwelt for three years. Mr. Statler now moved to the foot-hills, in Redwood township, and lived there two years, when he sold out and again established himself on the place on which he had originally settled in 1850. He resided on it until 1865, in which year he acquired his present property, of one hundred and thirty acres, and, in 1875, bought one hundred and thirty-nine acres adjoining it on the south. Married, at Santa Clara, May 13, 1858, Mary Moreland, a native of Missouri, by whom he has three children, viz.: Martha J., born February 18, 1860; William M., born December 27, 1861; Laura M., born April 10, 1876.

Henry H. Warburton, M. D. Whose portrait appears in this work, was born in Staffordshire, England, May 23, 1819, where he received his education. Having studied medicine, he practiced seven years with his father, and attended lectures and hospital practice at the London Hospital for some time. On June 1, 1844, he left for the United States, arriving in New York on the 9th July. After practicing in that city for a year, the doctor removed to New London, Connecticut, and there, in 1845, shipped as surgeon, on board the ship *Corea*, Captain Hamstead, and in her remained until 1847, in which year he landed in San Francisco, then known as Yerba Buena. Not long after, the subject of our sketch took up his residence at Woodside, San Mateo county, at that time situated in San Francisco county, and after prosecuting his profession there for twelve months, transferred his residence to Santa Clara, where he has since dwelt. Like every one else, Doctor Warburton took a turn in the mines during the gold fever, digging, trading and practicing, being absent altogether about seven months. He has also farmed on the Sacramento river, near Chico, Butte county, but, owing to the inconvenience of periodical floods, the doctor returned to the Santa Clara valley, where he at present owns and farms three hundred and twenty acres near the town of Santa Clara, where he was the first medical man to establish himself. In 1870, the doctor returned to his home in Betley, England, for a visit, having been absent twenty-six years. He was received with great demonstration, by relatives and friends, feeling almost as though his was The Prodigal's return. The glowing accounts given of our California, by himself, older daughter, and step-daughter, Mrs. R. C. Blackman (who accompanied him), induced a younger brother, Doctor James P. Warburton, to venture to this State, and who is establishing quite a practice in San Francisco. Married, in San Francisco, May 3, 1855, Mrs. Catherine Pennel, by whom he has five children living and two dead. The names of those surviving, are: Caroline A.; Ellen A.; John G.; Charles P.; Henry L.

Joseph Woodhams. Born in England, October 23, 1803, where he was educated and brought up on his father's farm. In the year 1827, he came to the United States, landed in the city of New York, and settled in Westchester county, in that State, where he followed milling. Mr. Woodhams then proceeded up to the North river to Newsberg, and there engaged in the same occupation. In 1845, he started for Chile, South America, and there managed a large mill for Burden & Co. Here he remained until 1850, when he came to California, and after a short stay in San Francisco, came to Santa Clara county, and, in the Fall of 1850, erected a little dwelling, which had been originally built in New Brunswick, Canada. Mr. Woodhams now occupies it. In 1852, he put up a small flour mill, run by eight to ten horses,

and sold the flour in Santa Clara and the Redwoods. He resides on forty-five acres of an original squatter's claim (when located, it was supposed to be Government land), of two hundred acres, situated about two miles south-west of Santa Clara City. Married Ann Maurice. His children are: Maurice, born March 23, 1830; Alfred R., born May 30, 1832; Oscar, born August 17, 1837; Mary E.; and Lucy A.

Charles H. Worthington. Whose portrait appears in this work, was born in North Carolina, November 22, 1828. When twelve years of age, his parents moved to LaFayette county, Missouri, where his father followed farming, the subject of our sketch being there educated. April 25, 1850, he left LaFayette, for California, by way of the plains, and arrived at Hangtown, now Placerville, July 16th, of the same year. Like every one else in those days, Mr. Worthington at once commenced the search for gold. He first mined on the middle fork of the American river; then he prospected for a month in Grass Valley, Nevada county; after which he turned towards Santa Clara county, where he arrived December 20, 1850, and located at Mountain View. In the Summer of 1853, he raised a crop of wheat and potatoes, this being his first experience of farming in California, and there continued his agricultural pursuits until 1859. In that year he moved into Santa Clara township, and November 23d, purchased the farm on which he now resides, comprising sixty acres, and has since dwelt there. Married, October 18, 1855, Margaret Meador, a native of Jackson county, Missouri, by whom he has: Alice, born November 14, 1856; Lucinda Frances, born October 18, 1858; John B., born April 5, 1861; Martha Ellen, born December 1, 1862; Willet, born September 25, 1873; Clara, born February 1, 1878.



SAN JOSÉ TOWNSHIP.

Professor Charles H. Allen. The distinguished Principal of the State Normal School, was born in Mansfield, Tioga county, Pennsylvania, February 11, 1828. Having received his early education in the common schools of his native district he entered the Condersport Academy in McKean county, whence he proceeded to Jamestown, Chautauqua county, New York, and commenced teaching. From there he went to a Normal Class in the Westfield Academy, and after subsequent appointments to various schools, he was elected Principal of the Smethport Academy at Smethport, McKean county, Pennsylvania, a position he filled for three years, but resigned on account of failing health. Mr. Allen now commenced the business of surveying in McKean county, Pennsylvania, and thus continued for three more years, when he was chosen to fill the position of associate Principal of the Normal School at Westchester, Chester county, Pennsylvania. At the end of a year he went to Wisconsin to hold a series of teachers' institutes for the State, and after some months of that work, was appointed agent to the Regents of the State Normal Schools, in which capacity he worked for nearly two years, holding institutes and supervising Normal classes, in the educational institutions in the State. At the close of this period he opened a private Normal School in the city of Madison, Wisconsin, from the Principalship of which he was elected to a like office in the Normal department of the State University of Wisconsin, where he remained three years. During this period the learned professor raised a company of "a hundred-days' men," and as their Captain marched them to Memphis, Tennessee, but this function he abandoned on the expiration of service time, and, being honorably discharged, returned to his less warlike duties at the University. Finding his health once more giving way, Mr. Allen removed to Cincinnati, Ohio, and for six months was engaged in the insurance business; but being called to the Principalship of the First Normal School of Wisconsin, he again betook himself to the halls of scholastic life. Here he remained five years, but, at the expiration of these, finding his health in a still unsatisfactory state, he resolved to try a radical change of scene and climate, he therefore made the long journey to Oregon, and as headmaster opened the Bishop Scott Grammar School in the city of Portland. However, he returned to Wisconsin, and was engaged for a year there as

Institute Agent, from which he was called to the Chair of Natural Science in the State Normal School of California, an office he filled until March, 1873, when he was elected Vice-Principal, and subsequently, in August of the same year, to the high and onerous position of Principal. To say that Professor Allen is eminently qualified to fill the exalted station of Chief of Instructors in California State Normal School is but to state what all the country already acknowledges, for his scholarly attainments, executive ability, and happy disposition make him especially the right man in the right place, while, privately, he is a true man and a fast friend. Married, June 29, 1854, Abby A. Phelps, a native of Michigan, and has living: Jessie G., Carl, Hattie, and Dora.

Robert S. Ammen. Born in Shelby county, Tennessee, March 30, 1848. He received his early education in his native district, and completed his training in St. Louis, Missouri, after which he became a druggist, a business he has followed up to the present time. In 1870 he took up his residence in the State of Arkansas, and there remained until 1878, when he came to San José, and purchased the drug store at No. 256 First street. His knowledge of medicine, and, after a long study, of the diseases of the lungs and throat, led him to make additions to an old German formula and to the manufacture of a remedy for coughs and colds, which resulted in the production of "Ammen's Cough Syrup", and in the Spring of 1880, it having performed so many remarkable cures, and proved to be a medicine of such great benefit to mankind, induced him to put it on the market for general sale, and it may now be found for sale by all Druggists and Dealers in Medicines on the Pacific Coast. McKesson & Robbins, New York, are the Wholesale Eastern Agents. Married, December 22, 1869, Isabella Lynch, and has: William L., born October 10, 1870; Murtry, born January 5, 1873; Robert S., Jr., born February 14, 1876; Nora, born July 22, 1878.

Philip Anderson. Born in Aberdeen, Scotland, February 19, 1839. When fourteen years of age he came to New Brunswick and learned the trade of machinist. In 1863 he made the voyage to California *via* Panama, and after a year's residence in San Francisco working at his trade, he removed to Santa Clara county and went to work in the blacksmith shop at Berreyessa. At the end of a twelvemonth he purchased a half interest in the concern which he and his partner, Thomas Beck, still conducts. Mr. Anderson has been three years a School Trustee. Married, at Sacramento, April 10, 1869, R. J. Cachile, a native of Sackville, New Brunswick, by whom he has five children, viz.: Margaret A., born March 10, 1870; William W., born July 4, 1871; Mabel V., born November 26, 1872; Leslie C., born October 28, 1877; Roscoe, born November 22, 1879.

Robert Anderson. Born in Philadelphia, Pennsylvania, February 14, 1818, and was educated in Livingston county, New York, whither his parents had moved. The family subsequently transferred their residence to the States of Michigan and Indiana, and finally permanently located in Kenosha county, Wisconsin, where the subject of this sketch remained until 1850, when he proceeded to California, returning, however, to Wisconsin in the following year. Coming back to this State he stayed two years and once more proceeded to Wisconsin. In 1860 he settled in San Francisco, and came to San José, Santa Clara county, in August, 1861, where he has since resided. Dr. R. Anderson is an oculist and acquired his profession in Wisconsin, since when he has been in continuous practice. Office in Lightston Block, Santa Clara street. Married, January 27, 1849, Miss H. McDonald, a native of Erie, Pennsylvania, and has: Karl, born in Kenosha county, Wisconsin, February 2, 1854; Maud, born in Santa Clara county, California, April 5, 1868. All residents of San José, Santa Clara county, California.

John L. Auzerais. The subject of this sketch was born in Benzeville (Eure) in Normandy, of Jean Auzerais and Aimée F. Beaudoin, November 30, 1822, and received his education in his native country. December 13, 1849, he sailed from Brest, France, in the ship *La Durance*, for Valparaiso, Chile, where he remained about one year and a half, at the end of which time he came to California in the ship *Lisia*, Captain Barbasan, arriving in San Francisco January 6, 1852. On the 8th he came to San José, joined his brother, Edward Auzerais, in business, and has since made his home in that city. Married, February 15, 1858, Miss Louise Prevost, a native of Quebec, Canada. By this union there have been born six children, two of whom are deceased. Those living are: John E., born May 13, 1860; Louis F., born February 17, 1862; Raoul A., born March 28, 1873; Louise A., born June 28 1875.

Joseph Awbrey. Born in St. Charles county, Missouri, June 3, 1829. At ten years of age he moved with his parents to Linn, and there resided on a farm, until 1850, in April of which year he started with ox-teams across the plains for California and arrived in September. His first four years were passed in the mines at Nevada City where he had fair success; he then came direct to Santa Clara county, and settled on the ranch he now occupies comprising three hundred acres. Married, at Grass Valley, April 6, 1854, Mrs. Susan Pruett, a native of Kentucky, and has two sons and one daughter, Francis M., born in California September 26, 1856; Thomas, born in California September 20, 1858; Lizzie, born in California March 3, 1860; he also has three step-sons and one step-daughter, William, born in Missouri September 23, 1845; Mary Ann, born in Missouri August 10, 1847;

Joseph, born in Missouri June 23, 1849; and James E. Pruett, born in California November 15, 1851.

Rev. G. R. Baker (*Deceased*). The subject of this sketch, the father of Senator George F. Baker of Santa Clara county, was born in Westmoreland county, Pennsylvania, May 1, 1825. When of a tender age he accompanied his parents to Ohio, settled near Delaware, there received his early education, and afterwards entered the Ohio Wesleyan University in that place. After remaining there some time, he left on account of lack of means, and for some years taught school, but subsequently engaged in business in Cincinnati, where, on November 7, 1848, he married Miss Maria C. McCracken, a native of Pennsylvania. Here Mr. Baker continued for some years, but owing to failing health and after a twelvemonths' residence at Xenia, in Ohio, he came to California by way of the Isthmus of Panama, sailing from New York January 1, 1857, and arriving at San Francisco on the 31st of the same month. Mr. Baker for the first five years of his stay in this State was a resident of Marysville, Yuba county, and for a couple of years was there engaged in teaching. While a resident of this town, about 1858, he first commenced to preach, feeling that such was his proper calling, for which his life of singular purity eminently fitted him. For several years he was agent of the *California Christian Advocate*, the organ of the Methodist Episcopal Church of this coast. In 1861-2 he had charge of the Marysville circuit, and while there built the famous "Bethel" at the North Buttes, in Sutter county. In the Summer of 1862 he formally joined the Conference of the Methodist Episcopal Church, and was stationed at North San Juan, Nevada county, where he remained two years, during which the membership doubled and a church and parsonage were built. In the Fall of 1864 at the Conference held at San Francisco, Mr. Baker was appointed agent of the University of the Pacific, at Santa Clara, which was then in rather a declining state. With his wonted activity and fixity of purpose he put his shoulder to the wheel and soon the millstone of debt was removed from the neck of the college. With him originated the idea of acquiring the tract of land on which the institution stands, laying it out in lots, and putting them up for sale. By this means a large amount of money was raised, the incumbrances swept away, and the University of the Pacific placed on a firm financial basis. Mr. Baker remained at his post until his death on October 29, 1869. He is well and pleasantly remembered throughout the country. His family consists of George F., one of the Senators from Santa Clara county; Charles W., now a resident of Cincinnati; and Lulu K., who resides with her mother in San José.

Senator George F. Baker. The oldest son of the Rev. G. R., and Maria C. Baker, was born in Cincinnati, Ohio, on September 15, 1849. In May,

1857, he arrived in California and proceeded to Marysville, Yuba county, where he resided until 1862, when he entered the University of the Pacific near Santa Clara, and remained there at intervals for eight years. In the year 1868 he traveled through a great portion of the Eastern States, and after his return to this State taught school and studied law. In the Summer of 1871 he was appointed Principal of the Santa Clara High School, and in June of the same year was nominated by the Republican party for the office of County Superintendent of Schools, to which he was elected in the following September. He then resigned his position of Principal, and with the duties of his new office continued his legal studies until he was admitted to practice before the Supreme Court in October, 1872. Mr. Baker held the office of County Superintendent of Schools until March, 1874, when he moved to San Francisco and commenced the practice of law in that city. In June, 1873, however, he had brought his first suit in the case of Thomas Rea of Gilroy against the Southern Pacific Railroad Company. This case was closed up in May, 1874, and with the fee thus earned Mr. Baker purchased an interest in a mine, which he afterwards sold to good advantage. He visited the Centennial Exposition in 1876, returned to the Pacific coast, arranged his affairs, and took a trip to Europe, being absent one year. In 1878 he resumed his residence in San José. In 1879 he was nominated by the Republican party for the State Senate, and in the following September was duly elected. At the first session thereafter he was unanimously chosen President *pro tem.*, of that Body. At the Convention of the Republican party, held at Sacramento in April, 1880, he was their President, a position in which he acquitted himself with marked ability. Mr. Baker has done excellent work for his constituents while in the Senate; some of his speeches before that august body have been marked by forcible language, clear diction and effective oratory, while it may be safely assumed that it is mainly through his efforts that the appropriations were made to effect the location of the State Normal School once more in the Garden City of California.

Samuel Alphonso Barker. Born in Kennebec county, Maine, July 26, 1833, where he received his education, and in the Spring of 1854 entered upon the study of law in the office of Judge Josiah H. Drummond, since Attorney-General of that State. Mr. Barker was admitted to practice his profession before the Supreme Court of Maine, June 15, 1857, and continued such until he left for California. He arrived in San Francisco November 12, 1867, and coming direct to Santa Clara county, opened a law office in San Jose, in the building where now is situated the First National Bank, where he remained five years, then moved to his present location, rooms No. 16 and 17, Bank of San Jose Building. Mr. Barker was admitted to the Supreme Court of California, and to the United States District Court

on production of his certificate of admission to the Bar of Maine. His residence is on Clay street, East San José. He married, April 5, 1858, Sarah E. Parshley, a native of Maine, and has three children: Charles A., (now a Deputy County Clerk) born January 16, 1859; Frank P., born August 17, 1860; Alfred, born July 30, 1869.

Tyler Beach. Born in Warren county, New York, September 29, 1832. When five years of age he was taken by his parents to Saratoga county, in the same State, and thence, in May, 1845, to Walworth county, Wisconsin; afterwards, in 1847, to Columbia county, Wisconsin, whence he started for California in November, 1853. Coming by way of Nicaragua, he landed in San Francisco in February, 1854. He proceeded to San José, Santa Clara county, where he arrived April 18, 1854, and after paying attention to farming for a short time commenced the business of an artesian well-borer, which he followed for two years. In the year 1861 he started an ice trade in San José and prosecutes that calling up to the present time, besides which he owns a wood and coal yard on St. John street. Mr. Beach was the first to branch out in that business in San José. He is the owner and proprietor of the St. James Hotel, a house which possesses every comfort, overlooks St. James square, and commands a fine view of the eastern hills. Married, April 3, 1861, Martha Ann Smith, a native of Iowa, and has: Sylvia E., born May 12, 1862; George H., born January 11, 1864; William H. S., born May 9, 1867; Charles S., born January 12, 1869; James T., born September 10, 1872; Henry S., born March 24, 1876; Sarah A., born September 27, 1879.

Hon. David Belden. One of the Judges of the Superior Court of Santa Clara county, was born in Newtown, Fairfield county, Connecticut, August 14, 1832. In the year 1853 he came to this State and at once entered upon the practice of law at Nevada City, Nevada county. In the Fall of 1859 was elected County Judge of Nevada county, for a term of four years. In the year 1865 he was elected State Senator and represented Nevada county in the State Senate for the two succeeding sessions. In the Fall of 1869, Judge Belden removed to the city of San José and entered upon the practice of his profession in the Court of Santa Clara county. Upon the creation of the Twentieth Judicial District, in 1871, he was appointed Judge of that Court then comprising the counties of Santa Clara, Santa Cruz and Monterey, and to which was subsequently added the county of San Benito, and in the year 1873 was elected, without opposition, to the same position, and continued in it until the adoption of the new Constitution. Under the judicial system created by this change Judge Belden was elected one of the Judges of the Superior Court of Santa Clara county, an office which he still discharges with unswerving fidelity.

to the high trust imposed upon him. Married, April 21, 1861, in Nevada City, Elizabeth C. Farrell, a native of New Jersey.

Colonel A. G. Bennett. The subject of our present narrative, was born in Oneida county, New York, May 13, 1836. When eighteen years of age, he moved to Oswego, and there learned the trade of carpenter. In 1860, he moved to Jersey City, New Jersey, but in the month of May, in the following year, returned to Oswego, and there raised, for service in the war, Company B, of the Eighty-first New York Infantry, being promoted to a Captaincy one month thereafter. The regiment proceeding to Washington, was assigned to the Fourth Army Corps, of the Army of the Potomac, and served under McClellan, through the Peninsular Campaign. The campaign ended they returned and camped at Yorktown. In December, 1862, Colonel Bennett was assigned to the Eighteenth Army Corps, and proceeded to Port Royal, South Carolina. While here, our subject offered his services to General Hunter, to command a colored corps, which being accepted, he raised the Twenty-first United States Colored Regiment, and commanded it for three years. Colonel Bennett served through the campaigns of South Carolina, Florida, and Georgia, and was subsequently in command of Morris Island, until the evacuation of Charleston, by General Hardee, February 17, 1865. The following morning, the 18th, the Colonel coming to the conclusion that the enemy had taken his departure from the city, placed himself on board a small boat, and with only the crew and escort, at ten o'clock that forenoon, landed in Charleston, raised the United States flag, took command of the place, and received its surrender from the hands of the Mayor. He was mustered out, April 25, 1866, at Charleston, South Carolina, settled at Rouseville, Venango county, Pennsylvania, and resided there six months; thence he removed to South Carolina, and engaged in the lumber trade for twelve months; afterwards he resided in Jersey City, Hudson county, New Jersey, where he was in the furniture trade. In 1875, he came to California, and in partnership with his brother, embarked in the same business in San José, Santa Clara county. The gallant Colonel is now a member of the San José Furniture Manufacturing Company. Married, March 13, 1867, Mary E., daughter of Rev. E. W. Jones, a native of New York.

Samuel A. Bishop. The subject of this biography, one of the best-known gentlemen in the Garden City of California, first saw the light of day in Albemarle county, Virginia, September 2, 1825. Ten years later, his parents moving to Montgomery county, Missouri, he accompanied them thither, there attended school and resided until 1846, when the family changed their domicile to Calloway county, in the same State. Mr. Bishop, although brought up a farmer, early evinced a taste for mechanics which

developed into his building a mill in Calloway, while working at various trades such as wagonmaking, engine-constructing, etc. When here engaged with his tools and leading a not very eventful life, the world was shaken to its center by the wild excitement consequent on the discovery of gold. Who that experienced the meteoric hopes of that time can ever forget them! Our subject was not to be behindhand. To the land of gold was his slogan; it occupied his thoughts by day and his dreams by night; to the New Dorado then was he bound. On April 15, 1849, he started from Calloway to undertake the little-known journey across the plains with ox-teams. The route chosen was that by Santa Fé in New Mexico, thence along the Colorado river to a point near El Paso, from which he followed Cook's route to Tucson, Arizona Territory, thence to the Gila river, where Fort Yuma now stands, and on into California. But this long journey was not without its mishaps. At the point now occupied by Fort Yuma, the wagons and teams were abandoned, and Mr. Bishop obliged to shoulder his blankets, pick and shovel, and march across the burning desert, finally, foot-sore, weary, but undismayed, reaching Los Angeles, October 8, 1849. Here remaining but a short time to recuperate, he once more shouldered his pack, took the route for the Mariposa mines, where he soon arrived with a hundred pounds' weight on his back, after performing a journey on foot of over seven hundred miles. The Summer of 1850 Mr. Bishop passed on the Stanislaus and Merced rivers, his time being occupied chiefly in building dams to turn these streams so as to gain the wealth supposed to lie concealed in their beds; but how uncertain are the ways of events, the month of September arrived and with it an unexpected storm, the rivers rose, the dams were swept away, the work was abandoned, and the gold at their bottom consigned to oblivion. But in those times, as in these, to lie a day idle was to lose the chance of success. Mr. Bishop therefore shifted his camp to Mariposa there intending to pursue his search for the precious metal, but the hostilities known to history as the Mariposa war breaking out, the subject of our sketch forsook the shovel for the rifle, the pick for the bayonet, and was one of the first to enlist—February 10, 1851—in the battalion raised by James Burney, but commanded by Major James D. Savage. The corps consisted of three companies, A, B, and C, respectively under Captains John J. Kirkwood, John Bowling, and William Dill. Bishop was elected Orderly Sergeant of Company C which he commanded nearly all the time they were under arms owing to the absence of Captain Dill. The entire battalion at once moved in pursuit of the hostile redskins, overtook and captured a band of them on the Merced river, followed the remainder into the Yosemite valley, and there took prisoner the great chief *Yosemite* himself. It may be well here to note that the entry of the battalion into this now famous resort, was the first appearance of white men in that valley. After this engagement and capture, the,

corps was mustered out of the service, and the following discharge given to Mr. Bishop:—

"STATE OF CALIFORNIA, }
 " Mariposa County. }

"This is to certify that Sergeant Samuel A. Bishop was mustered into the service of the State of California as a volunteer in Company C, of California Battalion, commanded by Major James D. Savage, on the tenth day of February, 1851, and has faithfully performed the duties of First Sergeant of Company C, to this date; and that he is this day honorably discharged. Given under our hands this 1st day of July, 1851.

"WM. DILL, *Captain Commanding Company C.*

"M. B. LEWIS, *Mustering Officer.*"

After the events above narrated, Mr. Bishop engaged with James D. Savage, his old Commander, and L. D. Vincent Hailer, as a mechanic and general manager of their business. In the year 1852 Major Savage was killed in an altercation with Major Harvey, when Mr. Bishop was admitted into the firm, together with Dr. Lewis Leach, under the style of Leach & Co., the business of Indian traders being conducted on the reservation established by the Government on the Fresno river. Here he had the entire control of the Indians, until General Edward F. Beale was appointed by President Fillmore, Superintendent of Indian affairs in California. In the following year, determining to move the Indians, the General employed our subject to conduct them to the San Joaquin river where they were established at the point at which the Southern Pacific Railroad now crosses that stream. He was, however, instructed to transfer them to the Tejon, near the pass in the mountains of that name, on which place they were located, December, 1853, and in the following year a large crop was raised by Mr. Bishop, with Indian aid alone. In the same year the subject of our memoir contracted to construct a military road from the Colorado river at Beale's Crossing (near Fort Mojave), through Arizona Territory into New Mexico, an extremely hazardous undertaking, when the geographical difficulties and the hostility of the Indians are taken into account; indeed, so determined was the enmity of the aborigines along the line of the Colorado and within the borders of Arizona, that the Government dispatched a force of one thousand United States troops to bring matters to a peaceful issue. These were sent from San Francisco by steamer, *via* the Gulf of California, to Fort Yuma, thence by land and light-draft steamboats to Beale's Crossing, where several immigrants had been massacred during the previous year, and at which place it was hoped the enemy would be come upon. Knowing of this expedition, Mr. Bishop completed his arrangements so that he should arrive at the Crossing at the same time as would the soldiers, and have their protection in fording the river, but, as ill-luck would have it, he got

there a month ahead of them and was forced, unguarded, to cross the swift-running stream with his party of forty-two men, besides twenty camels, and trains of wagons and pack-mules, loaded with the necessary *pabulum* for an expedition the like of which he was undertaking. While making their way to the opposite bank, the Indians attacked them, compelled a return to the shore and forced their retreat to Beaver lake, two miles distant, where they called a halt, and fortified themselves in the following manner: The wagons were drawn up in line, about fifty yards from the lake, and parallel thereto, forming a breast-work, to repel attack from the direction of the plain; the broad sheet of water was kept to the rear, which, on either flank, was connected by a ditch, four feet in depth, thus forming an inclosure wherein was ample security for life and property, and sufficient fodder for the animals. Here, then, did these wayfarers, with rifle, shotgun and revolver, await the attack of full fifteen hundred savages. When the Indians fell upon them they were received with a withering fire; on each succeeding morn was the attack renewed, nor did their determination lax until the seventeenth day, when a flag of truce was sent in to Mr. Bishop's camp, with the request that a council of war be held, when an armistice was declared, and our hero permitted to proceed on his way, which was done, he meeting his partner, E. F. Beale, at the San Francisco mountain, in Arizona, two hundred and fifty miles east of the Colorado mountain. They now retraced their steps to the Crossing, where they met the troops, to whom was left no share of the fighting, the enemy having had quite enough of that kind of luxury a month previously departed for parts unknown. This expedition, so bereft of glory to the army, cost the nation four hundred thousand dollars; the brunt of battle and the sinews of war were borne by Mr. Bishop alone. Having purchased the Castec Grant, in the northern portion of Los Angeles county, upon which was located the military post of Fort Tejon, the subject of our narrative entered into an agreement with the Government, the conditions of which were that he should deed to the United States one mile square of the land on which the post was situated, to be held for military purposes, so long as it should be deemed necessary, upon the lapse of which, then the lands, together with all improvements upon them, should revert to the owner, for the reason that Fort Tejon, when first located, in the Fall of 1864, was supposed to be upon public land, but was subsequently found to be on the Castec Grant, made by the Government of Mexico to José Corvarubias, of Santa Barbara county, but the title was not yet confirmed by the Government of the United States of America. In the meantime, while the matter of title was pending in the Supreme Court of the United States, Mr. Bishop entered into negotiations for the purchase of said ranch with one Albert Packard, of Santa Barbara, who had previously purchased of the grantee, and finally consummated the

purchase, soon after confirmation of the title, in the latter part of the year 1869. In the year 1860 and 1861, after the discovery of the Comstock lode, in Nevada, Mr. Bishop established a branch of his ranch and stock operations on a tributary of Owen's river, now in Inyo county, California, so as to be convenient to the market for his beef for that new mining country, but the Indians made war upon the few white settlers, killing a number and appropriating their stock to themselves, burning their houses, etc. There is a village now upon the range that Mr. Bishop had taken up known by the name of Bishop Creek, and is the post-office of that part of the country. On the outbreak of the Rebellion the troops were ordered to the seat of war and the post abandoned; the premises with the keys thereof were handed to Mr. Bishop, in accordance with the agreement, who suddenly found himself the possessor of a ready-made village of fine houses, but no inhabitants to occupy it. With that keen intelligence which has earned for him his high position among men of business, Mr. Bishop conceived the idea that a new county could be formed out of the northern portion of Los Angeles, the eastern part of Santa Barbara, and the southern section of Tulare, thus creating a public boom, while by the donation of his buildings for county purposes, such as Court House, Jail, Hospital, etc., a county seat would be found complete in its chief requirements and a benefit be conferred upon himself individually. To this end he caused a petition to be circulated, setting forth the advantages of such a project, and the fact of a ready-made capital, which met with very general approval. This he took to the Legislature, and upon the strength of its generous endorsement by the public, a bill was passed creating a new county to which the name of Kern was given. In the year 1865 the government of the county was organized, and the usual elections for officials and the establishment of a county seat called. Meanwhile a great excitement broke out, and thousands of people were attracted to the mountains near Kern river, therefore, when the election took place, the majority located the seat of county government at the spot which had been named Havilah, and thus, as so often happens, the lesser mind reaps the advantages while the greater intellect is left to start afresh in some new field of labor. Upon the organization of the new county Mr. Bishop was chosen one of its Supervisors, an office he resigned in the Fall of 1866, when he left for a visit to the Atlantic States, and on his return to California, with his family, took up his residence at San José in April, 1867, since when his career has been a portion of the history of Santa Clara county. In the month of February, 1868, he, with others, obtained a franchise to construct the San José and Santa Clara Horse Railroad, a history of which will be found on page 531 of this volume; In 1870 he became interested in the San José Savings Bank, being afterwards for several years the Vice-President of that institution; in that same year he became the owner of the San

José Institute and Business College on First street, having associated with him Mr. and Mrs. Freeman Gates; in 1871 received a franchise from the Mayor and Common Council of the City of San José to lay the First-street railroad. Mr. Bishop next became President of the San José Homestead Association upon its organization to purchase lands in East San José and lay them out in lots; he then extended the San José and Santa Clara Horse Railroad into that suburb; he afterwards purchased an interest and became a Director of the Butte Flume and Lumber Company (now the Sierra Lumber Company), who have gigantic industries in the Sierra Nevada, as well as in the counties of Butte, Pumas, Tehama, and Shasta; while in the year 1876, with six others, he purchased the Stayton Quicksilver and Antimony mines situated in the mountains dividing Fresno from San Benito county, where, though considered rich, work has been suspended owing to the low price of that commodity. Mr. Bishop is a Royal Arch Mason, an Odd Fellow, and a life member of the California Pioneers, also of the Santa Clara County Pioneers. From the foregoing narrative it will be seen what manner of man is S. A. Bishop. Combining all the powers which go to make a man of mark, he has left nothing undone whereby good may not result. His energy is marvelous, his foresight wonderful, and his *bonhomie* infectious; in his public character, what he has done and is still doing will live long after him, in his private life let us hope that his many excellencies will long continue to shed lustre upon his wife and daughter, the amiable and accomplished sharers of his Saturnian age. Married, September 10, 1856, at Los Angeles, Frances E., daughter of William and Amanda Young, by whom he has Sarah Virginia, born February 10, 1859, an only child.

John C. Black. Born in Butler county, Pennsylvania, July 5, 1834, and there received his early schooling, and afterwards his more mature training at the Alleghany College, Meadville, Crawford county, in the same State. He arrived in San Francisco *via* Panama, March 2, 1855, and proceeded to Amador county, where he engaged in mining; but moving from there to Sierra county he stayed there some time, during which he constructed a wing dam on the north fork of the Yuba river at Mississippi Bar; thence he proceeded to Forbestown, Butte county, and opened an evening school which he taught during the Winter of 1857, and in the following Spring came to Santa Clara county, and engaged in teaching in San José, and the study of law. Was admitted to the Bar of the Supreme Court in January, 1863, after which he settled in Yuba county, and in 1864 was appointed District Attorney. In June, 1865, he returned to San José and was elected District Attorney in 1871 and was a Notary Public from 1867 to 1868. Mr. Black's office is in rooms 18 and 19, Knox Block, San José. He married Marian J. Millard, March 15, 1868, a native of Iowa, and has: Clara N., John Newton, Walter R., Leslie, Edmund, and an infant.

Samuel A. Blythe. Born in Shelby county, Tennessee, May 26, 1826. In 1831, his parents moved to the State of Arkansas, but after three years went to Memphis, Tennessee. In 1837, Mr. Blythe went to Texas, and there remained until 1849, when he came overland to California, arriving the 5th September. Coming direct to Santa Clara county, he settled at Saratoga, December 8th, and engaged in lumbering. In 1853, he purchased a two-hundred-acre farm, three miles from that village, and resided there until his coming to San José in 1872. In June, 1873, in company with L. Straus, under the style and firm of Blythe & Straus, he opened an office in the old Hester Building, on First street, and commenced operating in grain. At the end of a year he removed to King's Building, afterwards to McLaughlin's Building, on Fountain alley; thence to Archer's Building, where the partnership was dissolved, in November, 1879, Mr. Blythe retaining the business. In March, 1880, Captain C. H. Maddox becoming associated with him, his business was removed to its present position No. 279 First street, the firm name being Blythe & Maddox, who are engaged in buying and shipping grain. Married, May 18, 1852, Mrs. Sereni Gruell, *née* Cox, a native of Coshocton county, Ohio, and has: William L., Mary T., Martha Ann, Alice G., Samuel A., Charles L., and Ethel Sax.

Michael Cahalan (*Deceased*). The subject of this sketch, whose portrait will be found in this work, was born in County Tipperary, Ireland, and as long ago as the year 1820 emigrated to the United States, bringing with him his wife and two children, and first settled in Boston, Massachusetts, where he worked at his trade of stone-mason, for fourteen years for one employer, who, at the end of this service, presented our subject with a *bonus* of a hundred dollars for long and faithful efficiency. Among other duties which Mr. Cahalan performed, he was one of those who prepared the foundation of the Bunker Hill Monument, and later in life has referred with much pride to the part taken by him in laying its corner-stone. In 1835 he left Boston and proceeded to Galena, Illinois, *via* Albany, Buffalo and Chicago, in a two-horse wagon. In the Fall of 1836, he moved to Jackson county, Iowa, and taking up a claim settled near what is now the city of Bellevue, and encountered all the hardships incident to frontier life. One of his sons returning from California in 1851, and giving such glowing accounts of its climate and resources, determined our subject to transfer his goods and chattels to the Pacific coast; this he did in the Spring of 1852, and crossing the almost endless plains with but one horse and two ox-teams, he arrived in San José, September, 1852, having lost only one ox out of eight yoke. Not long after his advent in this State Mr. Cahalan settled on a portion of the Santa Teresa Rancho, and there remained until his death, which took place December 16, 1874, at the ripe age of eighty-four years.

He was buried in the Catholic cemetery at Santa Clara, where his body quietly reposes. He was a man who had a full faith in his Creator, and lived strictly up to the commands of his church, and was ever ready to bow his head to the Divine Will. He was remarkable for his industry, being able at seventy-five years of age to do his day's plowing. Mr. Cahalan was the father of fourteen children, nine of whom were living at the time of his death. He left Boston with seven children and brought the like number to California.

M. M. Cahalan. Born in Boston, Massachusetts, September 26, 1826. In early life Mr. Cahalan resided in the States of Illinois and Iowa, which latter he left in 1850, and came to California by way of Sublette's cut-off, in company with his brother, C. W. Cahalan, arriving at Nevada City, August 10th, of that year. Here he mined until the following year when he returned home *via* Panama. In the Fall of 1852 we find our subject back in California with his father and family. They then came direct to Santa Clara county and settled on the Santa Teresa Rancho, where he now resides with his sister. Mr. Cahalan owns about eight hundred acres on which he has an extensive dairy, milking seventy-five cows daily, and making four hundred and fifty pounds of butter per week. Is unmarried.

James H. Campbell. Born in South Andover, Essex county, Massachusetts, February 27, 1850. In the year 1859 he came to California, arriving at San Francisco in April of that year. From 1859 until 1867 Mr. Campbell resided in Grass Valley, Nevada county, and there attended the public schools, and, in 1867, entered St. Ignatius College, where he went through a course that fitted him for matriculation in Santa Clara College, from which he graduated in December, 1871. On his return to Grass Valley, he studied law in the office of Messrs. Dibble & Byrne, and, in April, 1874, was admitted to practice before the Supreme Court. On being "called to the Bar," he took up his residence in the city of San José, Santa Clara county, and was appointed Deputy District Attorney, under Hon. Thomas Bodley, which position he filled until the expiration of the term of office, when he entered into a law partnership with Mr. Bodley, which finally ended with the death of the latter. In September, 1879, he was elected District Attorney, and is the present incumbent of that office. Married, April 22, 1877, Miss Mary Faulkner, a resident of San José, and a native of Boston, Massachusetts.

Alfred Chew. Born in Clinton county, Ohio, March 26, 1834. When twelve years of age he went with his parents to Shelby county, Illinois, and, in 1853, started for California, in company with a man named Kirkpatrick, who stopped at the Missouri river, with the intention of going to Oregon in

1864. Mr. Chew now joined W. R. Bane, of San José, and assisted him to drive a band of cattle to Gilroy, where he arrived in September of that year. After being prostrated with typhoid fever, he obtained various employments in different parts of the State, among others being with U. S. Deputy Surveyor Henry, in San Luis Obispo county. In 1859 he returned to Illinois, and came back to Santa Clara county the following year, where, after farming for a twelvemonth, he purchased a tract of two hundred and nine acres, from William Mathews, three miles from Evergreen, and occupied it for five years, when he came to the place where he now resides. In 1873 Mr. Chew was elected to the Board of Supervisors for Santa Clara county. He married, in Shelby county, Illinois, January 19, 1860, Margaret Kennedy, and has: Mary F., born March 25, 1864; Robert W., born April 28, 1866; Martha E., born October 4, 1868; Emily A., born February 7, 1871; Alfred J., born February 20, 1873; Maggie M., born May 22, 1876; Walter R., born August 8, 1879.

Lemuel J. Chipman. The present County Superintendent of Schools, was born in Taylorsville, Plumas county, California, February 11, 1853. He received his early education in the public schools of San José, whither he came in 1864, and afterwards, in March, 1873, graduated at the State Normal School. In this year he taught a Spring term in Yuba county, but leaving, returned to Santa Clara county and took charge of the Evergreen School. In 1874 he entered the Santa Clara College, and during that time was elected Superintendent of Schools for the City of San José, a position he filled for two terms, but resigned after being elected for a third term, to accept the Principalship of the Fourth Ward School. At the end of one term he was transferred to the Empire Street School in a like office, and while holding this situation was elected County Superintendent of Schools, entering upon the duties of that office, March 4, 1878, and has since held the sway of that department. From the time of his election, until the adoption of the New Constitution, Mr. Chipman was a member of the State Board of Education. Married, December 7, 1876, Emma Toy, a native of San Francisco, and has one child, Florence, born September 24, 1880.

S. A. Clark. Born in Boston, Massachusetts, June 4, 1823, and resided in North Hampton, in the same State, from 1827 until about 1833, when he went to live in New York City. At the age of sixteen years he proceeded to the State of Mississippi; and when of age returned to the metropolis and dwelt there until he started for California. Arriving in San Francisco in the month of August, 1850, he came direct to the Santa Clara valley, and obtained employment as book-keeper to the firm of Hoppe, Hawkins & Co., but remaining with them only a few months, he entered the establishment

- of Bassham & Wilson as book-keeper, taking charge of the post-office at the same time. In January, 1853, Mr. Clark embarked in business on his own account, in the first place on Market street, but subsequently he moved to the position on Santa Clara street, about where Spring's store now stands. This business he sold in October, when he was elected County Recorder for the terms including 1853 to 1857. The Fall of the year 1857 he opened his grocery store under the style of Brownshield & Clark; but buying out the interest of his partner at the end of twelve months, he conducted it in his own name until February, 1873, when he sold out to Sage & Gardner. In 1875, he opened the grocery store now existing at No. 372 First street. No man stands fairer in the community in point of mercantile honor—none more esteemed as a citizen than S. A. Clark, while the house of which he is the head enjoys a large trade, and the full confidence of the community.

James A. Clayton. Was born in England, October 20, 1831, and came to the United States with his parents, in 1839, who settled in the lead mines in Iowa county, Wisconsin, in 1840. In company with his brother, Joel Clayton, he crossed the plains to California, and arrived August 3, 1850. He passed a few days at the mines, and on the 25th of the same month, took up his residence in Santa Clara, where he was employed as clerk to his brother, Charles Clayton, who had been a resident of the valley since 1848. Here our subject sojourned until February, 1851, when he returned to the mines, and worked there until November, at which period he went to Australia, and tried his luck at the diggings there. In August, 1852, he came back to California, and, for a space, resided in Stockton, San Joaquin county, but again returned to Santa Clara, being engaged in clerking until his settling in San José, in January, 1856. He now purchased a photograph gallery, located where Fisher's store now stands, on Santa Clara street, and afterwards moved to Spring's Corner. This concern Mr. Clayton owned about thirteen years. In 1861, he was elected County Clerk, and re-elected in 1863. In 1867, he established a real-estate office, and has continued in that business until the present time. He married in 1860, and has a family of six children.

Martin Corcoran. The following narrative of the life of one of California's earliest pioneers will be found worthy of perusal, replete as it is with incident by flood and field. Martin Corcoran was born December 8, 1824, at Fox Island, Gut of Cancer, Nova Scotia, but when eighteen months old accompanied his parents to Boston, Massachusetts, and locating at Wareham, there our subject received his education, and afterwards, until sixteen years old, worked in the nail factories of the town; the Aveland Iron Works, near Baltimore, Maryland, and the Duncannon Iron Works in Pennsylvania;

then returning to Wareham. On October 2, 1842, he shipped on the bark *Levant* and sailed for the Pacific coast, cruising for two years on the coast of Peru and Chile, as well as among the South Sea Islands. In June, 1844, he touched at the Sandwich Islands, where the U. S. sloop-of-war *Levant* was lying, which, being short of her complement, Corcoran joined her and sailed to San Francisco, arriving there in the latter part of July of that year. From there they sailed to Valparaiso and Callao, thence to the Sandwich Islands; afterwards to Acapulco, and in 1846 to Mazatlan, where, hearing the rumor of war between the United States and Mexico, they returned to San Francisco; thence to Monterey, and back to Mazatlan, where they found the U. S. men-of-war *Independence* and *Warren*. Joining these, the port of Mazatlan was captured by six hundred men, landed from the vessels, the Mexican ship *Americadel* being cut-out as well. Here Corcoran was transferred to the *Warren*, and in her came back to San Francisco, after touching at Monterey. At this time the Alcalde of San Francisco was Lieutenant Bartlett. This officer finding that beef was scarce, about Christmas, 1846, sent out an expedition into the country to procure that commodity. Among the party was our subject. They first proceeded to the rancho of José la Cruz Sanchez, near the Seventeen-mile House on the old San Francisco and San José road, and there remained one night and a greater portion of the next day, Sanchez promising that the required cattle would be forthcoming. In the meantime the horses on which the foragers had been mounted were driven off, and while in search of them and the cattle as well, they perceived a mounted band to appear in sight. On being questioned as to who these were, Sanchez replied that they were friends coming to aid him in finding the cattle wanted. On their arrival it proved that such was not their errand, for they forthwith surrounded the party of Americans, captured them at pistols' point, and took them over the mountain to Half Moon Bay, where Francisco Sanchez, brother of their host and captain of a company of Californians, had a rancho. Bartlett, Corcoran, Richard Watkins (now a Judge in Mono county), William Leavens, and three others, were detained for a month, moving from place to place (for the Californians were on the outlook to capture San José), and were finally given up to their countrymen on January 8, 1847. Our subject and his comrades being set free at once proceeded to the embarcadero at Alviso, where they took passage in the second cutter of the U. S. steamer *Savannah* for San Francisco. On landing Corcoran dipped his hand into a barrel of pork that was in the forward part of the boat and extracted therefrom a twenty-pound piece, which he carried away with him. Where is now the corner of Kearny and Washington streets in San Francisco at that period there stood a sentry. On hearing a footstep approach he sang out the challenge, "Who goes there?" "Friend," was the reply;

"Advance, friend, and give the countersign." "I don't know what the countersign is, but I've got twenty pounds of pork!" This was too good news for the guardian of the military precincts; he replied, "Come in!" and that night had a hearty supper. Not long after this adventure Corcoran rejoined the *Warren*, and proceeding in her to Monterey, there was transferred to the store-ship *Erie*, Captain Watson, and in her sailed to Callao; thence they took home the remains of Commodore Dallas (a brother of Vice-President Dallas), who had died on board the *Savannah* in that port June 3, 1844, and arrived in Brooklyn Navy Yard June 3, 1848, when he was paid off from the navy after a service of four years and three days. He immediately proceeded to Fall River, Bristol county, Massachusetts; to visit his mother, and after three weeks sailed in a sloop to Norfolk, Virginia; thence up the river to Richmond; from there along the Kanawha canal to Dover Mills, where his brother was employed in a nail factory. It had been the intention of our subject to ship in an East Indiaman, but, being persuaded by his brother, he gave up the idea and engaged in these mills, where he was employed about six months. While at this place he first heard of the discovery of gold in California, and amid the consequent excitement, and the knowledge that he had been there, a company named the Pacific Mining and Trading Company, C. H. West, President, and Judge Shafer (now of San Joaquin), Secretary, was formed, in December, 1848, in which he took a share. The ship *Mary Anna* was purchased in New York, loaded with houses, mining implements, and provisions, and got ready for sea; Corcoran, though still retaining his interest, shipped as third mate, and on March 24, 1849, sailed from Hampton Roads, with a human freight of one hundred and thirty-seven souls, besides the officers and crew, arriving in San Francisco harbor October 13, 1849, shortly after which the company was disbanded, and the ship and cargo sold. Corcoran here met a former shipmate, named Glass, who owned a schooner called the *Susan W.*, which our subject and five others chartered, and loaded for Stockton. When ready to put to sea, the captain came on board, provided with a jug of whisky, to which he had evidently been paying affectionate attention, for in getting out his craft, he ran her "athwart hawse" of a large vessel. On seeing this, our subject at once took charge, sent the skipper below, and navigated her to where the little town of New York now is, at the mouth of the San Joaquin river. Their destination was reached without further adventure. At Stockton, ox-teams were chartered, and a start made for the Tuolumne river, the company, comprising Martin Corcoran, Thomas Wiley, Enroughty, Hilton, Smith, and George Crossmore, arriving at Hawkins' Bar, November 10, 1849. After passing one day in observing those who had come before washing the gold, our subject and his chums set to work, for themselves, on a claim they had taken up, with but poor success. Here Corcoran remained two

weeks, when he went to Chinese Camp, between Hawkins' Bar and Wood creek, and there sunk holes, and with but little better luck. After a month's stay here, he removed to the crossing of Sullivan's creek, which led to Curtis' creek, and there built a cabin. On the first of these he mined three weeks with a change of fortune, but the stream rising he was forced to leave. The floods subsiding, however, he commenced operations on Curtis' creek, about two miles from his former ground, and working there for two weeks, had good returns. It may be mentioned that two miles and a half above this spot, was the famous Sailor's Claim, where as much as two pounds' weight of gold-dust were taken out per day, by the three sailors who owned it. While camping on Sullivan's creek, our subject, with an American named Harvey Briggs, went hunting in the vicinity of Chinese Camp, where deer were plentiful. On their way back, the latter seeing a stone which pleased him, picked it up and thrust it into his hip pocket. They had not proceeded much farther when the sharp crack of a rifle was heard, Corcoran remarked that the fellow who discharged the piece was not far off. "By Jove, no!" his companion replied, "and he has hit me!" Corcoran examined the supposed locality of the wound, but could find no evidence thereof; his friend, however, still persisting, he was undressed, when it was found that the pebble placed in his pocket had been struck, happily leaving the skin only much contused. After a keen search, he who had fired the shot was nowhere to be found. In the Spring of 1850, the mines not "panning out" as successfully as he had anticipated, our hero, with Smith, left for San Francisco, and, at Wood's creek, purchased a team of three yoke of oxen, for which they gave six hundred dollars, with which they pushed for Stockton, intending to enter into the freighting business. Corcoran, a sailor, and Smith, a printer, naturally did not know much about driving cattle—before they had traveled seven miles their entire team got mired. The former remarked to his comrade that "the port ox was on the starboard side, and got foul of the rigging;" they were consequently unyoked "to make all clear." Leaving their wagon in the mud and the oxen at large, our travelers made their way to a roadside inn, called the "Green Springs" kept by one Tanner, and there disposed of their property—the oxen at large, and the wagon in the mud—for eight hundred dollars, the copartnership of Corcoran and Smith having had enough of teaming. Thence our subject started on foot for Stockton, but he had not gone far when he found that his brand-new boots, for which he had paid two ounces—thirty-two dollars—both belonged to one foot, they were therefore discarded; and trudging the rest of the journey, made his entry into Stockton, on his feet certainly, but with no other covering to them than that which nature had bestowed. Here he found a mess of pork and beans was two dollars, and the price of a night's lodging a like sum—the floor being the bed, and the covering one's own. At Stockton

Corcoran and Smith determined to enter into a packing business, the former, as a sailor, considering that being able to "lash" well, was an instinctive *desideratum* for the trade. Animals were purchased, loaded with hard-bread, which was then worth fifty cents per pound, and a start for the mines at Chinese Camp made. At night it was usual to unload the beasts; during their first night out, at Blue Tent, outside of French Camp, their mules disappeared, but were afterwards discovered on the plains, from the top of a tree. On the third day out, a party coming from the mines was met, who put in a claim for one of the animals, but, notwithstanding hard words, he was retained, and made the rest of the journey, Corcoran and his cavalcade arriving in Chinese Camp, one month after he had left the mines. Finding that the miners were leaving here for other diggings, and that there would be no sale for his bread, he stored it in a log cabin, and contracted to transport a number of them to Murphy's Camp, a distance of five and twenty miles, or thereabouts, for five hundred dollars. This labor performed, he returned to Chinese Camp, and transferred his bread to Wood's creek, where he stored it. At this period, Smith started to Stockton with the animals for more goods, and in the meantime, Corcoran hired a donkey and peddled the bread through the mines at Wood's, Sullivan's and Curtis' creeks. The mules that started for Stockton he has never seen since; Smith he saw many years after. Corcoran now returned to San Francisco. In his wanderings he found one day a ship's long-boat on the beach, and shortly after purchased it, and with Tanner and another man put a deck on her, and otherwise rendering her seaworthy, named her the *George S. Lowns*, after the captain of the ship in which he had come to California, and started in the freighting business, between San Francisco and Stockton. In this craft he made two trips to Stockton, and one to Benicia with clapboards for Doctor Semple, delivering which they loaded with pork for Sacramento. On this voyage our subject met with a narrow escape of death at the hands of a man on board a schooner, who was inclined to test his marksmanship at the expense of those on board the *George S. Lowns*. Returning from this cruise he left the craft tied to the long wharf, trade being dull and large vessels engaging on the route;—he has not seen her since. Remaining in San Francisco about ten days, he shipped as chief mate on board of the *Glenmore*, bound for Panama, got her ready for sea, but did not proceed in her. This was in the latter part of 1850. Corcoran now embarked in the business of stevedore for a short time, and afterwards worked for William Middleton in driving piles around the old *Niantic*—on Clay Street, above Sansome—and afterwards on a portion of the lot where the post-office now stands. In the Winter of 1850-51 he was salesman for the Clay Street Bakery where he remained about six months, when he entered into partnership in that business with John Hawkins, starting the Public Bakery on

Jackson street, above Dupont. The May fire of 1851, burned out his former employers. While the fire was approaching them Corcoran went to them, purchased the batch of bread they then had in their oven, and knowing well where all their customers resided, served those that were not burned out, and (the other firm not starting again) kept their trade, making from one hundred to one hundred and fifty dollars clear profit per day. In the fire of the following June, our subject lost his all. While it was raging, however, his partner went to the Happy valley, rented a bakery, and the next morning customers that remained, were served as usual. The bakery on Jackson street was rebuilt at once; a month after John Hawkins sold out his interest in the concern to his brother Robert, and the business continued. Some time after, Corcoran becoming interested in a ranch in the Masamore Martinez, went thither to put in a crop of wheat; in his absence his partner had disposed of the bakery, and both left for Sonora, but not proceeding further than Stockton, they there purchased an oven and started the New York Bakery on the levee in that city. At the end of two months, the enterprise was sold at a great profit, and the partnership between Robert Hawkins and our subject dissolved. Corcoran now returned to San Francisco, and started in the Wood, Coal and Hay business with John Hawkins, on Dupont street, between Washington and Jackson streets, where he stayed until 1852. In this year he, with Captain Thorne, John Hawkins, Hall & Crandell, and Eastin and Milligan purchased the stern-wheel steamer, *Jenny Lind*, fitted her up, and put her on the San José route, Thorne being captain, Hawkins, clerk, and Corcoran, mate and pilot. In this boat he remained about a year, making a good deal of money, freight being then eight dollars per ton from Alviso, and passage money, the same from San José. These parties then purchased the steamboat *Charles M. Weber*, and refitted and rechristened her the *Guadalupe*. In 1853 the *Jenny Lind*, after being on the route for a time, blew up April 11, 1853. She was then taken to San Francisco, repaired and replaced on the route, and here our subject stayed, until she was sold to Morehouse and Uncle Bill Frost, of Santa Clara. While on board the *Jenny Lind*, the following circumstance, which has been related to us by an eye-witness took place: On the third trip from San Francisco, after she had been repaired, when off Redwood City, San Mateo county, and two hours and a half out, going full speed racing with the *Express*, opposition boat, rough weather, wind from north-west, and hour 12:30 p. m., a lady on coming from the cabin and walking forward, in order to pass a man who was sitting on some piled lumber near the rail, stepped aside so as not to interfere with his comfort, when one of the planks tilted over and precipitated her over the low rail into the water. On this followed the ringing of bells, the shouts of affrighted passengers, and the stopping of the engines. The unfortunate female was by this time being swiftly carried astern;—the skipper lost his

head, and in a dazed condition observed to Corcoran, who as pilot was at his post at the wheel: "Oh, Martin, what shall I do?" Ere the words were uttered our subject was overboard, irrespective of wind or tide, of boots and clothes, and struck boldly out to rescue the female in distress. Thanks to the then prevailing fashion her crinoline kept her partially afloat, and in a short time Corcoran was by her side. By this time the steamer had forged ahead some five hundred yards. While the scene above was being enacted, Captain Huntingdon (afterwards mate of the *Sierra Nevada*), and a Missourian lowered the only boat belonging to the vessel—a skiff capable of carrying three persons—with the intention of saving them from their perilous condition. Now, Corcoran, from his early experiences, and aided by many a talk with "old salts" in his cruises, had learned what to do when called upon to save life at sea. When he got up to the sinking lady he naturally caught her, but finding that the grip of a sinking female was too much for his gallant nature, he incontinently "ducked" her; then getting an advantageous hold, and boldly swimming, sustained her above water. The Captain, however, was "all adrift," he could neither give proper orders nor superintend the steering and backing of the steamer as should have been done; this duty was therefore successfully undertaken by William H. Travis (now of San José), the engineer. Now Huntingdon remembering the crankiness of the skiff was urgent in his desires that Corcoran should "keep cool;" the reply he received was, "All right, Captain, this is a cool place over here!" He then observed: "But how are we to get her (the half-drowned lady) in?" This was a puzzler. Corcoran at once took charge of the situation; directed that the boat should be held steady, and while the woman was being passed to the opposite side, round the bow, he with his weight on the contrary side would keep the skiff on an even keel. In this way was the lady saved, and finally taken on board the *Jenny Lind*, wet, dreary, but thankfully happy. As for our subject, after being towed astern of the boat, he was received on the deck of the steamer with the most lively appreciation of his gallantry, but there was not a dry garment on board to fit him—for be it remembered his shoulders were then as broad as they are now. Two months after the foregoing incident he saved the life of a young man in the Steamboat slough, under very similar circumstances. About this time a combination was formed with all the other routes when Corcoran was attached to the *Gaudalupe*, but afterwards took charge of the *San José*, late *Jenny Lind*, then plying between San Francisco and Union City, Alameda county, where, not paying, she was transferred to the Napa route, when our subject severed his connection with her. Subsequently the California Steam Navigation Company was formed and all the boats put under one management; he then rejoined the *Gaudalupe*, and remained in her five or six months. In 1854 Corcoran & Emmerson opened a hotel in Alviso called "The Republic," formerly kept

by Jean Baptiste; at the end of two months Emmerson went to San Francisco to purchase some goods, but has not yet returned. At the end of seven months the Captain removed to San José, and with Adam Holloway opened the McLellan Hotel under the name of the Franklin House it being situated at the north-west corner of First and Santa Clara streets, where Fiest's store now is. At the expiration of three months his partner sold out, and he was joined by W. H. Travis. In 1856 he disposed of the business to McLellan and returning to Alviso, acquired Rathbone's Saloon and there remained until 1858. On the breaking out of the Frazer river excitement, he left his family in Alviso and in company with Captain W. H. and Henry Lubbock went to British Columbia, taking with them a scow for traversing that stream, which they transferred to Esquimalt, Vancouver's Island by means of the tug *Martin White*, a daring piece of navigation. From the last port they proceeded up the river; thence to Port Douglas, Lillieworth lake, loaded with flour, mules and oxen; thence to Fort Hope; plied on the Frazer about a year carrying passengers for from twenty-five down to one dollar per head, freight having at one time ranged as high as one hundred and twenty-five dollars per ton. In the Winter of 1858-9 he went to San Francisco, had new boilers put into the boat, and returned for five months or thereabouts to the Frazer, at which time he proceeded to Alviso and purchased the Union Hotel there, and conducting it until 1863, came in that year to San José as agent for the San Francisco and San José Railroad Company. At the end of two years in that employ he proceeded to Lake county, and commenced hauling borax and sulphur with fifteen teams, from Borax lake and Sulphur bank to Napa in company with C. D. Cheeney. After a twelvemonth he returned to San José, and was agent of the steamer *Cora* for four months. He then opened the New York Exchange in 1866 and conducted it for four years and a half. September 4, 1867, was elected Tax Collector; September 1, 1869, and September 6, 1871, was elected County Treasurer. On the expiration of his term of office he purchased the Cameron House in Santa Clara and held it four years, when he sold out, came to San José and opened a livery stable for eight months, then sold it, after which he was variously engaged until July 19, 1880, he became agent at San José for the South Pacific Coast Railroad Company.

James H. Cornthwait. Born in Baltimore, Maryland, November 2, 1826, and there was reared a gardener. In the month of August, 1851, he arrived in California and came direct to Santa Clara county, settling with J. H. Ogier on the place now occupied by that gentleman. Here our subject resided until 1859, when selling out he moved to his present farm containing eighty-seven acres, where he raises all kinds of fruit and asparagus. Married in Baltimore, July 16, 1857.

Andrew J. Cory, A. M., M. D. The subject of this sketch was born in Oxford, Butler county, Ohio, December 25, 1832. He received his education in his native county, and after graduating from the High school, took his degree in the State University at Oxford, Miami University, in 1855. He then commenced a course of studies in the Ohio Medical College at Cincinnati, Ohio, and left there full of honor in 1860. In that year he sailed from the city of New York to California, and landed in San Francisco, June 13, 1860, and coming direct to San José, he has since continuously practiced his profession. During the nine years, commencing 1861 and ending in 1871, he has had charge of the County Hospital, while for eight years he has been County Coroner, as will be gathered from the Table at the end of this work. Dr. Cory married, October 23, 1861, Albertenia, daughter of John French, an old pioneer, a native of Wisconsin, and has: Ben Brodie, born 1863; Janie, born 1865; Bertie, born 1872, died 1878. The Doctor's office is at room 16 Commercial Bank Building, San José.

Benjamin Cory, M. D. The subject of this sketch, whose portrait appears in this work, the first medical practitioner to locate in Santa Clara county, was born in Oxford, Butler county, Ohio, November 17, 1822, and completed his education at the Miami University of that place, from which he graduated in 1842. After the completion of his academic course, he entered upon the study of medicine with his father, then a physician in Oxford; subsequently attended two courses of lectures in the Medical College of Ohio, at Cincinnati, and finally took his degree of M. D., in the Spring of 1845, when, entering into partnership with his father, at Oxford, he there practiced his profession until the early part of 1847. At this period the Territory of Oregon was attracting considerable attention. The Doctor determined to emigrate, having that place in view as his future home, accordingly, in company with James Smith, and Joseph Wadleigh, he proceeded by the rivers to St. Joseph, Missouri, where they procured an ox-team and wagon, and uniting with a party from Illinois, started on their long, arduous and dangerous journey. Their destination had not been half-way reached, however, when there was a split in the camp, one portion of the band desired to rest on the Sabbath, the other voting for travel. It was thus divided, our subject finishing the expedition in the company of Captain Hawes, without further incident than those common to the pioneer journeyings of those days. In the month of October, 1847, Dr. Cory arrived in Oregon City, where he opened an office, but, after a month, he proceeded to the coast, took passage in the brig *Henry*, Captain Kilburn, and arrived in San Francisco, November 17, 1847—the anniversary of his twenty-fifth birthday. From the fact of there being already two practicing physicians in the place—Doctors Townsend and Fourgean



Your truly,
Alex. P. Murgotten,



—the subject of our memoir, remaining but two weeks in Yerba Buena, resolved to locate at the Pueblo de San José. To this end he secured passage in a launch which made the trip to the embarcadero at Alviso, but failing to make connection with the cumbrous log-wheeled vehicle, of Mexican manufacture, that took the place of a stage coach in those days, he was compelled to pass a supperless and sleepless night on the craft which had brought him thither. The following morning, however, he chartered a *broncho* from a chance Mexican, for which he paid a dollar and a half—his last remaining treasure—and arrived in San José on or about December 1, 1847, with no money, but a good supply of books, surgical instruments and drugs. He put up, in the first instance, at Peter Davidson's, but the price, one dollar per day, being beyond his limit, he changed his lodging to the hotel then kept by Mr. Z. Jones, where the necessities of life were obtained at a much reduced rate. On the discovery of gold, the Doctor, accompanied by Z. Jones, were the first to leave for the mines. They started for Mormon Island, and reached the place by way of Benicia. They there purchased a small sack of the dust, and returned to San José in eight days. He once more, however, sallied forth to the mines, on this occasion with Robert Neligh, taking with him an ox-team. On arriving at the Carquinez Straits, where Martinez now stands, they found there assembled so immense a concourse of people waiting to be ferried over this barrier to their progress, that their party was detained eleven days ere their turn came to be transferred, in Dr. Semple's boat to Dr. Semple's town of Benicia, then on the direct route to the Golden District. From this expedition the Doctor returned in the month of November, having secured about four thousand dollars of the precious metal. He was elected to the Lower House of the first Legislature convened in this State. In the year 1850 he was elected one of the Common Council of the city of San José, on which Board he served four years, and, in 1872, was appointed by Governor Newton Booth a Trustee of the State Normal School, which office he still holds, besides which he now holds the office of County Physician. With the exception of the two visits to the mines, Dr. Cory has been a continuous resident of San José since his first arrival in the county, while during these years he has become so well known, both in his private and professional capacity, that it would be a work of supererogation on our part, as well as presumption, were we to lay before the reader his unblemished character and sterling worth. Married, March 16, 1853, Sarah Ann, daughter of the Rev. John E. Braly, by whom he has eight children living.

Royal Cottle. This gentleman, whose excellent likeness will be found elsewhere in this volume, was born in St. Charles county, Missouri, March 27, 1810. Here he received his education and followed the life of a farmer

until the year 1832, when he went to Burlington, Iowa, and there resided until 1847. Crossing the plains with a party numbering one hundred emigrants under — Palmer in that year, he reached Oregon and there engaged in his own particular calling, and having at the same time an interest in a small grist and saw-mill. Mr. Cottle remained in that Territory until the discovery of gold in California, when he repaired thither and built and opened a store in Sacramento in partnership with John S. David. They paid seven hundred dollars per thousand feet for lumber, and ten dollars a day wages to workmen. In a short time our subject disposed of his share in the business to his partner and went to Oregon in the Fall of 1849. The next Spring (1850) found him in the mines once more. He remained until Fall then hied himself to Oregon where he dwelt until 1857, in which year he brought his family to San José, Santa Clara county; but after a short time moved with them to Gilroy. Thence Mr. Cottle proceeded to San Benito county, acquired a stock ranch, and there resided until 1858, in which year he came to his present place at The Willows, near San José, where he owns one hundred and ten acres of valuable land, sixty-five acres being an orchard. In the year 1853, Mr. Cottle was elected to the Oregon Legislature. Married, firstly, in Iowa, October 12, 1841, to Sarah Parker, who died December 18, 1848, by whom there are: Franklin, born October 5, 1842; Charles, born September 15, 1845; Sarah C., born December 15, 1848; and secondly, in Oregon, November 11, 1852, to Mary Bryant and has had four children: Annette, born October 2, 1853; Alice, born March 6, 1855; Azella Relief, born January 2, 1855, died March 21, 1863; Royal, born November 13, 1858.

Rev. John Daniel (*Deceased*). Born in Philadelphia, Pennsylvania, May 17, 1807. In early life he resided in Maysville, Kentucky, and New Albany, Indiana, in which latter place he joined the Methodist Conference in 1832, and after supplying different pulpits throughout that State for twenty years he emigrated to California, by way of the Isthmus of Panama, and arrived at San Francisco in the Winter of 1852, coming as a missionary. The reverend gentleman was present at the first Methodist Episcopal Conference held on this coast at San Francisco in the year 1853, while his first charge in this State was as Presiding Elder of the Marysville District. Mr. Daniel then took the church at Santa Clara, and afterwards that at San José, when he retired for a year taking a superannuated relation. At the end of that period he had pastoral care of the Seamen's Bethel in San Francisco, and being once more superannuated he retired to Santa Clara for five years. Returning, however, to his sacred calling we find Mr. Daniel serving the churches at Woodbridge, San Joaquin county; Monterey, Fairfield, Solano county; Alameda, San José and Berreyessa, Santa Clara county; after which he settled in East San José, and there died October 18, 1880, full of years and honor.

Married, January 26, 1830, Hilda R. West, who was born in Wayne county, Pennsylvania, March 5, 1811.

Stephen W. de Lacy. The subject of this sketch, whose portrait appears in this work, was born in the city of New Orleans, Louisiana, May 3, 1843, where he learned the trades of ship carpentering and steam engineering. Removing to New York in the year 1863, he remained but a short time, when he sailed, *via* the Isthmus of Panama, to California, and arrived in San Francisco July 3, 1863. Coming immediately to the Santa Clara valley, he first settled in Almaden township, but at the end of two years removed into the city of San José, and commenced business as a contractor and builder, and continued at this for several years. In 1870 he connected himself with journalism. Since that period he has had considerable experience in the art. His initial work was on the *San José Independent*, after which he and his brother, Hugh A. de Lacy, started the *Weekly Reporter*. Withdrawing from this periodical he, in 1872, joined the *Pioche Record*, a newspaper published in Pioche, Lincoln county, Nevada, and was its city editor for nearly a year. In 1873 he returned to San José and assumed the city editorship of the *Daily Evening Patriot*, then under the control of F. B. Murdoch; when that journal became merged in the *Herald* Mr. de Lacy's position continued. In 1879 he resigned this position to begin the publication of the *Daily Morning Times*. His perseverance and enterprise, added to a rare perception and keen appreciation of the wants of the reading public, render him peculiarly adapted for the rôle he has filled and is now filling. As the *Times* is now in the third year of its existence, and firmly established, it is probable that Mr. de Lacy will spend the remainder of his life in conducting that journal. Mr. de Lacy married, September 10, 1875, Clara J., daughter of J. W. Haskell, and has three children: Edith Viola, Walter Haskell, and Stephen Percival de Lacy.

D. M. Delmas. The subject of this brief narrative, whose portrait appears in this work, was born in France, April 14, 1844, and ten years later joined his father, who had emigrated to California in 1849, and was then located in San José, Santa Clara county. Mr. Delmas' *Alma Mater* is the famous Santa Clara College, where he matriculated in 1858, and received the degrees of *Artium Baccalaureus* in 1862, and *Artium Magister* in 1863, carrying off the highest honors of his class. In July of this year Mr. Delmas commenced the study of law in the office of S. W. Holladay, in San Francisco, and a few months later proceeded to Yale University, whence he graduated in the Law Department in 1865. In September of that year he was admitted to the Supreme Court of Connecticut, but shortly thereafter, returning to San José, he was called to the Bar of the Supreme Court of

California in February, 1866, entering into partnership in that Spring with Mayor B. D. Murphy. In 1867 Mr. Delmas was elected District Attorney of Santa Clara county, and discharged the duties of that office for two years. In 1872 he took a year's rest, at his home in San José, from his hitherto incessant labors, and in 1873 became a partner in the law firm of Moore & Laine, where he remained till the month of January, 1876, when he opened legal chambers of his own, and has since practiced his profession without associates. In 1879 he made a trip to Europe for recreation, returning in April, 1880. His offices are in Paul Block, rooms Nos. 1, 2, 3, 4 and 5, a magnificent pile of buildings situated on First street, San José, which he owns himself, and which he has named after his son Paul. These offices contain his library, of over three thousand volumes, the largest and most complete private law library in the State. To draw a comparison is at all times an invidious task, but to say that Mr. Delmas is one of the most distinguished lawyers of the day is but to assert what is acknowledged on every hand. Proof, if proof were necessary to confirm the assertion, is to be found in the number of intricate cases in which he has been retained, not only in the city of his residence but in the courts abroad. Combining with a clear intellect the rare gift of eloquence, Mr. Delmas has placed himself at the head of his profession. In the many difficult cases in which he has appeared, he has brought a large knowledge of law to aid him in the unraveling of knotty points, while, privately, we may add that he is an impartial friend, warm of heart and kindly in disposition, ever courteous to all, friend and foe alike, while he is an undoubted ornament to the Bar of California. He married, April 7, 1869, Pauline, daughter of J. P. Hoge, a native of Galena, Illinois, and has four children: Delphine, Paul, Antoinette and Josephine.

Henry W. Edwards. Born in Chicago, Illinois, March 1, 1842. In 1850 he crossed the plains with his father, Henry Edwards, who after remaining at Placerville for a short time, embarked in mining on the American river, in 1851. In the following year he commenced a butchering business in Marysville and Sacramento, which he continued until 1853, in the Winter of which year he came to Santa Clara county. In the city of San José his father entered into the management of the "Farmers' Home," a hotel he conducted until 1855, when he commenced farming and continued until his death in 1872. In 1863 the subject of our sketch went to Virginia City, Nevada, opened the Eureka Hotel, and became interested in mining, but meeting with reverses, returned to the Santa Clara valley in 1864. He labored for monthly wages for a time and then rented the property he now owns. In 1870 he purchased a portion of the ranch, and the remainder in 1871, the entire tract comprising two hundred and thirty acres. Married,

December 11, 1867, Alice Hall, a native of Missouri, who was reared in California, by whom he has: Cora M., born August 15, 1869; Wilber J., born November 6, 1873.

Alexander Combs Erkson. The subject of this notice was born in Delaware county, New York, March 7, 1811, where he attended school and resided until sixteen years of age. At eighteen he was teaching a school in his native county, an occupation he pursued in New Jersey whither he had moved. Returning, however, to Delhi, in the county of his birth, he entered a mercantile house and there remained until 1847, when he removed to Keosauqua, Van Buren county, Iowa, arriving there May 1st of that year, and thereafter became engaged in running a steam flouring and a steam saw-mill. On the 26th of May, 1849, a company was formed at Kanesville, Iowa, under the name of the "Badger Company," having for its object the mutual safety of its members while emigrating to California. At this meeting A. C. Erkson was Chairman and O. C. Wilder, of Wisconsin, Secretary. A Constitution and By-laws were drafted by five of its members, Mr. Erkson being Chairman of the committee. The following were elected officers: L. Cornwell, Colonel; Elias Hand, Lieutenant Colonel; Henry C. Skinner, Quartermaster; A. C. Erkson Recording Secretary. Following we here record the names of the entire company that they may be preserved for future reference: S. H. Tryon, S. L. Wallace, Justus Wells, Dennis Tryon, A. B. Dumont, Devillo Hakes, Jesse Tryon, Sr. and Jr., Carlon Tryon, Robt. Osborn, Price Kindreck, John Osborn, Nattey Osborn, John M. Taylor, Henry Cornwell, Abram Folek, Sr. and Jr., John Folek, Burr Bassett, Elias Cole, S. Northrup, N. B. Hand, I. P. Lyon, Elias Hand, Arvillo Hand, E. P. Hand, Lewis Parkhurst, Joseph Gies, J. B. Atwater, J. S. Cochran, L. Clark, F. W. Merritt, J. B. Galloway, A. Vedder, W. Tabor, A. Ohlson, Wm. Daggett, S. Donham, Joseph Baldwin, D. Brinkhoof, H. C. Skinner, John F. French, Silas Helmer, Charles Moody, L. Ward, Volney Moody, R. G. Moody, Joseph Valier, L. Cornwell, John Spring, Richard Fuller, O. C. Wilder, J. L. Clark, A. C. St. John, Wm. Souther, John Coad, John Simon, William Phillips, Charles McCabe, Ashel Bennett, D. I. Dilly, Elihu Bennett, Daniel Wheeler, A. P. Morey, A. Benson, Francis Bedford, Caleb Nordyke, Joseph Day, Wm. Abbott, Rochard Statswell, Andrew Sluman, C. A. Hugh, Jarvis Whitman, C. D. and Geo. Buck, A. Westover, J. D. Tucker, Wm. L. Potts, Wm. Latta, Wm. Goodwin, Stephen Betts, Wesley and James Harrow, Harmon Corwin, Dorson Baldwin, G. M. and S. S. Williams, J. R. Coffin, Wm. K. Underhill, Daniel R. Funk, G. W. Worden, G. W. Harrington. A portion of this association left Council Bluffs, Tuesday, May 29, 1849, and the remainder on the 30th, on the 31st they camped together on the west bank of the Elk Horn river, and on the evening of June 3d, a meeting was called when S. H.

Tryon, for himself and others, requested permission to withdraw from the company and be allowed to proceed in advance. On the 4th, nine of the wagons started on ahead; on the 6th, nine more followed, and without doubt joined their companions who had left two days previously. At the crossing of the Elk Horn river, twenty-seven miles from the upper ferry of the Missouri, the remaining portion of the company overtook some Mormons who had with them six wagons. They were in number seven men, eight women and six children. At their request they were granted the privilege of joining the company and remain with them until Salt Lake City was attained, whither they were proceeding. On June 28th the party now under notice were at Scott's Bluffs, on the Platte river; at Fort Laramie another division of the company took place; in August Mr. Erkson and a portion of the company arrived at Salt Lake City and camped on the banks of the Jordan. Here they were advised by the Mormons to remain six weeks until the weather became cooler, then to proceed by the southern route, which counsel was followed. Now they found themselves short of funds, therefore the subject of our sketch and his companions set to work for the Mormons, whereby they earned sufficient to keep them in provisions for present and future use. Here they tarried until October 1st, when one hundred and four wagons with two ox-carts took up their line of march for the rendezvous at Hobbie creek, taking with them Captain Hunt, a Mormon, who had already made the journey to California as guide, paying him one thousand dollars for his services. Matters proceeded quietly until the 1st November when a large proportion of the train becoming dissatisfied with the route traveled proposed to move in a direct western course, and thus reach California by a shorter road. Mr. Erkson at first did not intend to accompany these, but through the intercessions of his wife and friends, he consented to join them. At the end of two days they came on an elevated plateau where the mountains formed a *cul de sac*, and here pitched their camp and named the place "Mount Misery;" scouts were sent out who reported the discovery of an opening in the hills, on which a large proportion of the party pushed on, many of them to find an untimely death in their fastnesses. Others of the company followed the mountain chain until they came on Captain Hunt's trail, by which they entered California. But our duty lies not so much with the doings of the Badger company, as it does with the subject of this sketch. He retraced his steps from Mount Misery; on the 10th November took up the trail directed by the old guide; and, on December 26th, reached the Mohave river, where provisions were found that had been procured by an advance guard of young men sent ahead for that purpose. Pursuing their journey they arrived at the Chino Rancho of Colonel Williams, where they remained one week; thence to the Mission San Gabriel where a stay of six weeks was made to recuperate their jaded cattle; arriv-

ing at Los Angeles, they left it March 15, 1850; in due time the San Fernando Mission was attained, and at last the Kern river, which after crossing on a raft, they traveled to Visalia, and the Aqua Frio mines. Here Mr. Erkson tarried a year, but his mining operations proving unsuccessful, he sought for other employment, and fortunately meeting William Phillips, a fellow-traveler from Iowa, he was recommended to go to Stockton, purchase goods, and sell them to the miners. Mr. Erkson replied that he had no money. "Then get trusted for them," was the answer. A day was set apart when he should accompany his friend, who promised to assist him in procuring the necessary stock in trade, but owing to unforeseen circumstances, he was a day too late. Phillips had started on the previous day. Our subject therefore followed, encountered him with his store of merchandise, and, in accordance with his suggestions, pursued his journey to Stockton. Here he commenced operations. On it being ascertained the team he drove was his own, and that he had a wife and family, he was told he could have all the goods he wanted. Mr. Erkson followed this business until he came to Santa Clara county, taking up his residence in Alviso township, April 1, 1851, on the farm now owned by Mrs. Fenton, he having purchased the land when on a visit in the previous January. In the year 1864 he disposed of the farm, and moved to San Francisco, and thence to San José, in June, 1869, where he now resides, at No. 522 Second street. Murriel, in Delhi, New York, April 19, 1833, Caroline, daughter of William Millard, who accompanied her husband across the plains and with him endured the hardships attendant upon their journey. They have no children.

Bernard S. Fox. Born in County Dublin, Ireland, May 16, 1816, where he learned the trade of nurseryman. In 1848 he came to the United States, landing in New York in November, and in December was engaged in the nursery business in Massachusetts, where he remained nearly five years. At the end of this time he was sent to California, by Commodore Stockton and S. W. Aspenwall, to superintend a nursery on the Stockton Ranch. Here he remained two years, and then purchasing four acres of that tract, commenced on his own account, the business of a nurseryman. At the expiration of two years more he moved to the location he now occupies, about three miles from San José, where he owns one hundred and twenty-six acres, and rents for nursery purposes, one hundred and fifty more. Mr. Fox is the pioneer nurseryman of Santa Clara county, and the oldest living in the State. In the year 1864 he was absent seven months, on a visit to Europe, and in 1872 was on a tour in the Eastern States. With these exceptions, Mr. Fox has lived continuously in California since his advent in the State. Since writing the above we have to record the demise of Mr. Fox, who died July 20, 1881.

Christian D. Gladewitz. Born in the Province of Brandenburg, Germany, December 24, 1833, where he learned the trade of gardener, and worked at it until 1855, in which year he came to the United States, and settled in Detroit, Michigan. Here he followed his avocation until 1862, in which year he arrived in California. He came at once to Santa Clara county, and was for the first eighteen months on land rented from Albert King, but his crop proving a total failure, he went out and worked for hire until his debts were paid. He was then appointed, by the Mayor and Common Council of the city of San José, Superintendent of the Oak Hill Cemetery, a position he held for thirteen years, during which he labored to make the place the attractive spot it now is. He then took up his residence on his present farm, where he has eighty-six acres of land. Married, at San José, August 31, 1875, Mrs. Eliza Dethloff, a native of Germany.

David Greenawalt. Born in Lehigh county, Pennsylvania, April 2, 1824. When young he accompanied his parents to Mercer county, and there received his education, being brought up a farmer. When but fourteen years of age he lost his mother, and his father, September 17, 1869. In 1846 he moved to Wisconsin, and was there variously employed until 1850, in which year he crossed the plains to California, arriving in Hangtown (now Placerville), August 2d. Here he engaged in mining for a short time, and then removed to Santa Clara county, locating, in 1852, between Stevens' and Campbell's creeks, where he engaged in stock-raising until 1855. He then settled to the east of the New Almaden mine, and resided until 1867, when he came to his present farm, comprising two hundred acres of fair lands. In 1877 he erected his fine, commodious mansion. Married, November 9, 1851, Eliza Booth, a native of England, who crossed the plains to California in 1846, and has: George, Mary E., Edney L., Amelia A., David W., John K., and Thomas B.

William Henry Green. Born in England, November 22, 1847, and was there educated. In the year 1869, he came to the United States, and, landing in New York, thence proceeded to San José, Santa Clara county, California, in 1870. Mr. Green has been engaged in business, in San José, ever since his arrival, and is the present proprietor of the St. James Hotel Saloon. Married, May 24, 1877, Margaret Sullivan, a native of Massachusetts.

William Benjamin Hardy, was born December 18, 1839, in the county of Middlesex, State of Virginia. His father, John Hardy, was a prosperous farmer of that section of country, and dispensed a hospitality worthy the reputation of an old Virginia gentleman. The subject of this sketch was educated in the best schools the country could afford, and early

showed talent for mathematical studies and the classics. Perhaps no State in the Union can excel Virginia in its system of academies where the higher branches of learning are taught. In 1858 he entered the Virginia Military Institute where the afterwards famous "Stonewall" Jackson was one of the professors. The military training and discipline under this old hero could not fail to impress the characters of young men, brought together from all parts of the South. The curriculum of the institution was in all respects similar to that of the Military Academy of West Point, and the rules and custom of the cadets were also similar, not even excepting the midnight tricks played upon the new-comers. Many a laughable joke is told of how some poor fellow, fresh from his mother's care, was rolled in a barrel at the dead hour of night, down some rocky hill, or tied in a sack, both head and heels, and plunged into some neighboring millpond. The shouts of laughter which greeted these choice performances were anything but comforting to the fresh arrivals who could only console themselves that their time for retaliation would come in the future. Mr. Hardy maintained a high rank in his classes, standing fourth in a class of forty members, and in accordance with the regulations of the institution was recommended for proficiency to the Governor of his State. At the breaking out of the war, he immediately returned home where he helped to organize a battery of light artillery of which he was elected First Lieutenant. This battery was placed at once in active service, and participated in all the principal battles of the Army of Northern Virginia, from Manassas to Appomattox. Composed of young, brave and enthusiastic members this battery could scarcely avoid making an enviable record for itself. Under the command of "Stonewall" they got into many a dangerous scrimmage with the enemy where the shot and shell rained around, dealing death and destruction on every hand. For gallant conduct at the battle of Cedar Mountain, Lieutenant Hardy was complimented in general orders, and promoted to be Captain. He continued to command his battery at Manassas at the second battle at that place, and also during the subsequent brilliant campaign of Lee into Maryland. Shortly after this he was taken prisoner, and spent eighteen months in the prison pen at Johnson's Island, Lake Erie, near Sandusky, Ohio. His sufferings at this place were enhanced by the insufficiency of his clothing and the extreme coldness of the climate in Winter. It would be hard to exaggerate the mental suffering of prisoners far away from home and friends, and knowing them to be exposed to all the dangers and terrors of war. When the time did come at last for exchange, it may well be imagined that the Captain was not slow to respond, and take his place again among his old comrades upon the tented field. He followed the *Stars and Bars* through many a weary march, sometimes to defeat, but often to victory; but his zeal in the cause of his country never failed. On account of his military education Captain Hardy was promoted

to be Major and Inspector of Artillery which position he held, until he sheathed his sword at Appomattox. In May, 1868, he removed with his family to California, and settled at San José. In 1871 he was elected to the chair of Natural Science in the Pacific Methodist College at Santa Rosa, which position he held for three years, but was compelled to resign it at the end of that time on account of ill-health, when he returned to San José. He was elected two successive terms to the office of County Recorder and Auditor, and when he vacated that office he was admitted to practice law, by the Supreme Court of this State, and continues in the profession at the present time.

Wilson Hays. Born in Clinton county, Pennsylvania, July 15, 1839, and there received his early education. At the age of seventeen years he emigrated with his parents to Fulton county, Illinois; he received an academic training at Lombard University, Galesburg, Knox county, of four years. In 1861 he came overland to California, and settled in Nevada City, in the county of that name; but in 1863 he moved to Idaho Territory. In the Fall of 1865 he returned to his native State by water, and the following Spring made the journey to Montana Territory across country. Here he remained until the Fall of 1868, when he moved to Colorado and engaged in the cattle trade. In the Spring of 1870 he removed to the State of Nevada and engaged in mining; made money, and returned to Pennsylvania where he married Tacie R., the only sister of ex-U. S. Senator Alexander McDonald of Arkansas. In May, 1874, Mr. Hays arrived in Santa Clara county, and still resides in San José, being Vice-President and Manager of the Manufacturing Department of San José Fruit Packing Company. Mr. Hays has an only child: Horace McDonald.

Michael Hogan. Born in Clyde, Wayne county, New York, November 10, 1851. When but an infant he was taken by his parents to Canada, but in 1862 moving to Buffalo, here the subject of this sketch resided until coming to California. He arrived in San Francisco, *via* Panama, February 11, 1878. On arrival he followed his trade of sail-maker, until April 28th, when he came to San José, Santa Clara county, and established himself in the grocery store in East San José, at the corner of Santa Clara and Clay streets. Married, April 18, 1881, Fannie Dolliver, a native of Nevada county, California, who was born May 8, 1862.

Frederick T. Holland. Born in Manchester, England, October 8, 1843. When but eight years of age he came with his mother to the United States (his father being dead), and took up his residence in New Jersey, where they remained nearly five years. In 1857, our subject came to California *via* the Isthmus of Panama and arrived in San Francisco the 25th of Jan-

uary of that year. Coming direct to Santa Clara county, he maintained a residence there till February, 1862, when he shipped as a sailor and followed the sea for seventeen months, visiting his native country in the meantime. His return trip to this land he made in the leviathan steamer *Great Eastern*, and after landing in New York, and paying a month's visit in New Jersey, he once more came to the Pacific shores. In 1869 he moved to his present property where he is engaged in fruit growing. Married, October 8, 1869, Jennie S. Jones, a native of Mount Pleasant, Henry county, Iowa, and has: Evart A., born August 22, 1870; Frederick Chester, born March 25, 1874; Carlton Lester, born November 13, 1879.

Hon. Cyrus Jones. The subject of this sketch was born in Clark county, Ohio, June 21, 1822, and was educated at the Academy at Springfield, in that State. In April, 1850, he moved to Towanda township, McLean county, Illinois, where he engaged in farming, stock-raising and stock-shipping to Chicago and New York. He was married February 3, 1853, to Margaret K., daughter of Judge James Rayburn of the same county. About this time he took a fancy to fine stock and commenced breeding Short Horn Durham cattle, and for a number of years owned one of the finest herds in the county, and was one of the principal exhibitors at the county and State fairs. August 1, 1872 he sold at public auction his herd consisting of fifty-two head, for twenty-two thousand dollars. In the Fall of 1872 he emigrated to California, spending the first Winter at Santa Barbara, and thence to San José where he arrived in April, 1873. In company with General Giles A. Smith he purchased what is known as Avenue Ranch, containing six hundred and sixteen acres. Still having a strong desire for fine stock, Mr. Jones returned to the States of Illinois and Kentucky and purchased a herd of Short Horns for pasturing on Avenue Ranch. About three years after General Smith died, and the herd was sold and distributed over the State, forming the nucleus of several new herds. In March, 1880, Mr. Jones sold his interest in Avenue Ranch, and removed to San José where he now resides. In the year 1872 there was a State Cattle Breeders' Association formed in San Francisco, of which Mr. Jones became a member, and in 1874 was elected its President, which office he still holds. He was also elected as a Director in the State Board of Agriculture in 1878, and held the position for a term of two years. In 1875 he received the nomination and was elected by the Republican party to the Assembly and held the office for one term; was again renominated but suffered defeat at the hands of the Democratic party. The New Constitution found in Mr. Jones one of its most ardent supporters, and after its adoption was nominated for the State Treasurership by the party which sprung into existence under its caption. Mr. Jones was sent by the Republican party as an alternate to the Cincinnati

Convention that nominated Rutherford B. Hayes to the Presidential chair, and was also an alternate at the Chicago Convention that nominated James A. Garfield for President. He is a staunch Republican, and has been ever since the Republican party was formed in 1856, and has voted for every Republican President since that time.

John Johnston. Born in New London township, Chester county, Pennsylvania, July 9, 1805, and is of English, Scotch and Irish extraction. Here he received his early schooling and learned the trade of stone-mason, being afterwards employed in several States. In the Fall of 1840 he went to Arkansas and there endured all the hardships accessory to a frontier life. In the Fall of 1848 he first heard of the discovery of gold in California, and in the following Spring crossed the plains to the Pacific slope by way of La Paz, Sonora, Yuma, the Colorado desert, arriving in California at Warner's ranch, thence to Los Angeles, arriving in October. He then went to lumbering and after to the mines from San Francisco until Christmas, 1850, when he came to Santa Clara county, and took up his residence on the farm he now occupies where he owns fifty acres. Mr. Johnston says he is a "blissful bachelor!"

Aaron Jones (*Deceased*). Was born in Indiana, February 23, 1830, where he was educated, and engaged in farming and gardening until December, 1861, when he started for California *via* the Isthmus, arriving in San Francisco, January 26, 1862. Two days afterwards found him in San José where he engaged in gardening for two years; thence he went for two years more to Evergreen; then to San Felipe valley where he resided until his death, April 4, 1877, his demise was the result of being accidentally thrown from the grale when on his way home from San José. He married, December 23, 1851, M. A. Daniels, a native of London, England, by whom there are: William D., born November 25, 1852; Aaron, born April 10, 1856; Abraham Lincoln, born January 23, 1865.

Delos G. Kent. Of the firm of O'Banion, Kent & Co., of San José, was born in Delaware county, New York, in 1841, and was there educated. In 1858 he came to Maroa, Mason county, Illinois, and there embarked in the boot and shoe trade, under the style of Kent & Thayer. In the year 1872 he came to San José, Santa Clara county, and with Mr. O'Banion established the clothing house of O'Banion, Kent & Co., Nos. 266-8-70, Santa Clara street. Married, 1866, Theresa A. Milmine, a native of Canada, her parents being citizens of the United States.

A Lagarde. Was born in France, October 18, 1828, where he received his education. After taking part in the French Revolution of 1848, engaged

himself in the Garde Mobile. Sometime after he started for Poland, with a company of volunteers, to aid in the liberation of the Poles, but was stopped at Magdebourg by the Prussian military authorities. From there was sent to Acherslieben, as prisoner of war, but was released at the end of a month. He immediately returned to France. Soon after he was off to Italy and engaged himself in the First Milanese Regiment, remaining there until after the battle of Novarro and the consequent defeat of Carlo Alberto, when he went back to France. On July 23, 1850, he took passage in the sailing vessel *Louisiana*, and, after a break in the voyage of a month passed in Valparaiso, reached San Francisco, February 17, 1851. Two weeks after his arrival he proceeded to Bidwell's Bar, on Feather river, there engaged in mining, and on the tributaries of that stream, and in the following year moved to American river. From here he went to Greenwood valley and mined during the Winter of 1852-3, and in April returned to San Francisco, took passage to France, and there passed a year. After traveling through Italy, portions of Africa and other countries, he returned to the United States, landing in New York City March 20, 1854. He then came to California by way of Chicago, St. Louis, Kansas City, Santa Fé, El Paso del Norte, Fort Yuma, Los Angeles, Kern river mines, to Stockton, where he arrived March 1, 1855. After visiting San Francisco, we find Mr. Lagarde once more at the mines; in 1857 he came back to the Bay City, lived there for six months, then moved to San José, where he arrived in February, 1858. He was here employed by the firm of Lemoine, Gambert & Co., of the City Store, and after a service extending over three years, was admitted into partnership, a combination which continued until 1876, when, in March of that year, he established his present grocery store, at the corner of Santa Clara and San Pedro streets. Married, in San Jose, on the 9th of September, 1860, Miss Louise Leyour, a native of France, by whom he has a family of six children, viz.: Jeanne, born July 8, 1861; Alphonse, born November 16, 1862; Louis, born March 8, 1864; Delphin, born January 17, 1867; Louisa, born March 11, 1870; Hortense, born March 8, 1872.

James Leddy. Born in Albany, New York, July 14, 1836. At an early age he accompanied his parents to New York City, there residing and receiving his education. In 1854, he started for California, *via* the Nicaragua route, arriving in San Francisco July 14th of that year. After a visit to the Kern river mines, he returned to that city, and there remained until he came to Santa Clara county in July, 1855. In 1857 he commenced the butcher business, on the site of Murphy's Block, in partnership with his brother, Daniel A. Leddy, where they continued till 1859, at which time they transferred their affairs to the corner of Santa Clara street and Lightston alley, but, being burned out, returned to their old stand, where they

conducted their business until 1872, when they moved to their present place in the City Market Building on Market street.

George Lendrum. Born in Ireland, June 31, 1830. In 1846, he came to the United States, and first settled in New York City, where he was employed as clerk, to Frey, McDonald & Co., on Broad street. In 1851, he came to California, by way of the Isthmus of Panama, and settling in San Francisco, was engaged by White & Wentworth, at the corner of Pine and Battery streets, with whom he remained until his return to New York, in 1856. In 1858, he visited Europe for the benefit of his health, and, returning to New York in the following year, he came back to the Pacific coast in 1861. He now was placed in charge of the lumber yard, of Galloway & Boober, and with them stayed until 1868, the time of his coming to Santa Clara county. He went into the grocery trade under the firm name of Spencer, DeBeck & Co, doing business in the Knox Block, the style of the partnership being afterwards changed to Spencer & Lendrum, and, subsequently, to Lendrum, Burns & Co., who are now at No. 291 First street, San José. In April, 1875, Mr. Lendrum was elected to the School Board of the city of San José, and has since held that position, being re-elected last, July 1, 1881. He married, March 17, 1856, J. Ella Falkner, a native of Ireland, and has: George A., born February 1, 1857; Jennia, born October 20, 1858; Andrew Reuben, born December 9, 1861; Annie C., born March 2, 1864.

Joseph A. Lotz. Born in New Orleans, Louisiana, December 25, 1849. At an early age, he accompanied his parents to Covington, Kentucky; thereafter to Warren county, Ohio, but residing there only a short time, finally located in Nashville, Tennessee, where he was educated. In the year 1853-54, his parents moved to Franklin, Tennessee. The subject of our sketch, left the home of his parents in 1863, and after visiting Louisville, Kentucky, Cincinnati, Ohio, and Indianapolis, Indiana, he there, and subsequently in Anderson, Madison county, Indiana, acquired the trade of carriage painter. Leaving the East, Mr. Lotz arrived in California, in the month of February, 1871, and settled in San José, he having been preceded by his parents, who arrived in 1870. Here Mr. Lotz worked at his trade, and at the same time executed the finishing work on pianos for his father, who is a maker of that instrument, until, in March, 1876, he was appointed by the Mayor and Common Council of the city of San José, to fill an unexpired term, as City Treasurer. In the month of April following, he was elected to the permanent office, and has since held the position—a remarkable fact which speaks volumes for the uprightness of Mr. Lotz. Besides being a prominent member of the F. and A. M., and Odd Fellows, Mr. Lotz was Secretary of the Volunteer Fire Department from 1872 to 1876. Is unmarried.

Silas P. Lynham. Born in Richmond, Virginia, May 23, 1851, and there resided until coming to California in 1873. He first settled in San José, and, after working for different parties at the butcher's trade, opened a shop on his own account, at Berreyessa, in 1870. After one year he came to East San José, and commenced the same business on Santa Clara street, where he remained till moving to his present stand, on Avenue Block, Santa Clara street, near Fourth. Married, September 24, 1874, Mattie A. Lundy, and has: Emma Lillie, and Arthur Lester.

Calvin Martin (*Deceased*). Was born in Milan, Dutchess county, New York, October 24, 1818. When seventeen years of age he accompanied his parents to Clinton, Lenawee county, Michigan, where he remained on a farm, which, occupying only one Summer, they left, and proceeded to Elkhart, Indiana. The subject of this sketch commenced business on his own account, first, by purchasing grain and shipping it to Chicago. He next engaged in the lumber trade at the mills, near the mouth of the St. Joseph river. In 1848 he went to Chicago, thence to Niles, Michigan, and, in company with William Compton, started for California. Compton, however, did not proceed farther than the St. Joseph river, Missouri. Here Martin was joined by David Hoppe, and with him crossed the plains *via* the Humboldt and Fort Hall route, they arriving in Sacramento July 26, 1849. Mr. Martin at once proceeded to Smith's Bar, on the American river, where he remained until the Fall of the year, when he came to Santa Clara county, and settling at Mission San José, purchased some cattle, which he drove to the mines. After disposing of these, he returned to Sacramento, purchased some horses and brought them to San José, arriving in the Winter of 1850. In company with William Aikenhead he opened a livery stable, on what is now San Fernando street, near the California Theater. In the year 1853 he built his present livery stable at 314 to 318 Santa Clara street, and, save a few years, has since been proprietor of the establishment. He is the owner of four hundred and seventy acres of land, and is the proprietor of Martin's and St. Francis Blocks, two of the finest in the city of San José. Mr. Martin was in his sixty-second year when he died, and had been a continuous resident of the county for thirty-two years. Married, November 23, 1853, Frances Leyba, a native of Sonora, by whom he had thirteen children.

John C. Morrill. The subject of this sketch was born in Chichester, Merrimac county, New Hampshire, September 4, 1820, and was there educated, and reared a farmer. In the year 1852 he came to California *via* Cape Horn, arriving in San Francisco per ship *North American*, Captain Austin, September 1, 1852. He immediately proceeded to the mines at

Coloma, El Dorado county, but after six months, changed the scene of his operations to Mokelumne river, reaching there March 1, 1853. Renting a ranch on Dry creek, Amador county, he occupied it until the 1st November of that year, when he returned to New Hampshire, by way of the Nicaragua route, and there resided until 1855. In that year Mr. Morrill once more, by same route, turned towards the beautiful Pacific slopes, and, after a short stay in Sacramento, returned to San Francisco, and then came to Santa Clara county. On October 1, 1856, he entered into possession of his farm that he now occupies, consisting of one hundred and sixty acres, where he has erected a handsome dwelling. Married, firstly, May 4, 1843, to Emeline H. Swain, a native of New Hampshire, and secondly, February 13, 1875, to Mrs S. S. Perry, a native of New Hampshire also.

J. C. Morris. Was born in Marthasville, Warren county, Missouri, March 21, 1830. When quite young his parents moved to Danville, Montgomery county, where he resided until he reached the age of fourteen years, when he moved into the country, and commenced farming. Mr. Morris was sent to school at Danville, and received a liberal education, which, combined with energy, of which he is possessed to an eminent degree, has materially assisted in his advancement in life, a progress which has been surely and steadily maintained. In the Spring of 1850 he entered into an arrangement with Jonathan Miles, whereby he was to receive a horse to carry him to California, Miles to receive two hundred and fifty dollars for its services. They made the weary journey together, and on their arrival, August 2d, the subject of this narrative proceeded to Cox's Bar, near Downieville, where he engaged in mining until about the 20th September the river raised and drove him out. Thinking the rainy season had commenced, he, with four others, packed up and went to Nevada City. Mr. Morris next went to Forbeston, there passed the Winter, and, in March, 1851, returned to Nevada City, and took up a residence there until 1859, engaging in mining until 1855, and the remainder of the time in the employ of the Rock Creek, Deer Creek, and South Yuba Canal Company. Mr. Morris now went once more to the mines, where he stayed until 1867, in the month of November of which year he left the mines and went to San Francisco. In the Spring of 1868 he located in Redwood City, San Mateo county, being variously employed in agriculture and farming. October 13, 1868, he came to San José, and was in the service of Wells, Fargo & Co., till March 1, 1869. In April he commenced driving street-cars for S. A. Bishop, which he followed until July 8, 1871, when he was placed in the office of the company as Assistant Treasurer, a position he still holds with credit alike to the public and his employers. Married, September 19, 1874, V. M. Bradshaw, a native of Fremont, Sandusky county, Ohio, by whom he has one child: Harrie Chester, born December 11, 1878.

Francis Butter Murdoch. Born in Cumberland, Alleghany county, Maryland, March 21, 1805. When about nineteen years of age he was sent to Bedford, Pennsylvania, where he attended an academy for some time, and studied law in the office of Judge Thomson, being afterwards admitted to the Bar of the Circuit and Supreme Court of that State. He subsequently moved to Berrien county, Michigan, and in connection with another proprietor, laid out its county seat—Berrien Springs. The ill-health of his wife obliged him to seek a more congenial climate. After her death, of consumption, he became a resident of the State of Illinois, and practiced in the courts of Madison county, and also of St. Louis, Missouri, and in this last State was also admitted into the United States District Court. In May, 1852, he crossed the plains to California, and settled in the month of September, 1852, in San José, and was admitted to the Bar of the District Court in San Francisco, and also of Santa Clara county. A few weeks after arriving at San José Mr. Murdoch was induced by his Whig political associates, to take charge of a newspaper, and established and conducted the *San José Weekly Telegraph* in 1853. On the passage of Mr. Douglas' bill to repeal Mr. Clay's compromise bill of 1820, restricting slavery, he clearly foresaw the result would be the breaking up of old parties and the establishment of new parties, with the distinctive issue of free territory, and his paper openly assumed and maintained the principles subsequently adopted by the Republican party. Early in 1856, and before the meeting of the Republican National Convention, the *Telegraph* placed at the head of its columns the names of General J. C. Fremont for President, and Francis P. Blair, Sr. for Vice-President. Mr. Murdoch continued to conduct that paper until the Fall of 1860, when he sold out, and retired from newspaper labors until 1863, when he established the *San José Weekly Patriot*, which was changed to a daily issue in a year or two, and was so continued until 1875, when he sold the *Patriot* to S. J. Hinds. In connection with others, two years ago he aided in establishing the *San José Daily Times*, but retired from it about six months afterwards.

Alexander Philip Murgotten. Whose portrait appears in this work, was born at La Gro, Indiana, February 10, 1846 (the memorable year in California history). Here he lived with his parents, until May 2, 1852, when in company with his mother and sister, Mary Helen, he started for California, *via* the Isthmus, to join his father whither he had gone in 1849. The means of locomotion in those days were somewhat in contrast with the present. From his home he took the slow moving canal boat to Toledo, thence to Albany by steamer, and from Albany by a rickety old railroad, to New York, where they took the steamer *Independence* for Aspinwall. At the latter place, he was placed in a basket,

and a native swung it on his shoulders and started off on a dog trot for Panama. Here his mother took her first lesson in muleback riding. At Panama they took passage on the steamer *Columbia* for San Francisco. The only incidents that can be remembered by him, as he was then but six years of age, were the appearance of a large whale alongside the vessel, and the drowning of a sailor. He was standing by the ratlins of the main mast watching a sailor as he was ascending the mast, when the sailor had about reached the maintop mast, he fell over backwards into the foamy sea. The sea was running very high, and he was soon carried far from the vessel. Young Murgotten saw the poor sailor's hand raised above his head as he rode the high waves, a great distance off, and attempted to point him out to the captain, but in an instant he was out of sight again forever. The scene was so indelibly impressed upon his mind, that time can never efface it. And though nearly thirty years ago, he can see the sailor's hand raised above the briny wave as plainly as though it were yesterday.

When the writer reached Placerville, which he did June 25, 1852, he was soon infused with the spirit of the times, that of money making, and was at that early age, seven years, engaged in selling Eastern papers, for Alex. Hunter, now dead. Then the *New York Tribune* and *Herald* and *Missouri Republican* were the favorite papers and brought from twenty-five to fifty cents each, while the pictorials sold for fifty cents and one dollar each. From a newsboy he went into the peanut business, and collected many quarters and halves selling peanuts and candy, fruit, etc., in the old Empire Saloon, and among the miners at their camps, being supplied by old "Greek John," a familiar character in those days. After attending school for a number of years, our subject thought he would like to own a team, and be a wood merchant. The team was purchased and a stock of wood procured. The rains, of the memorable Winter of 1861-62 came, and the floods carried away about one hundred cords of his wood, which dampened his ardor in that line, so he thought he would try the forge. A month or two at the anvil convinced him that his delicate constitution would not allow of such muscular employment, so he found his way into a printing office, the old *Mountain Democrat*. Here he learned his trade, and in 1866 came to San José as an attache of the *Argus* office, the foremanship of which he held, and where he labored until he conceived the idea of starting *The Pioneer*, which he did in 1877, an account of which will be found elsewhere. Of Mr. Murgotten's antecedents, he is able to trace his lineage on his father's side, going back as far as his grandfather, who he finds was a soldier under the First Napoleon, and banished to America, was wrecked off the Southern coast, and found his way into Baltimore, Maryland, where he married and raised a family of six sons and three daughters, four of whom are living, three in Maryland, and one in California. He died, in 1831, of cholera, the first appearance of

that disease in Baltimore. On his mother's side the family name was Shaffer who, coming from Germany prior to the Revolution, settled in Pennsylvania. His great-grandfather, on his mother's side, was killed by the Indian allies of the British, during the Revolutionary War. His grandfather was a native born, and had four daughters and one son, four of whom are still alive. The father and mother, of Mr. Murgotten, still reside in Placerville, upon the same homestead they located upon twenty-nine years ago, with their children, grandchildren, and great-grandchildren, growing up around them, to cheer the venerable old pioneers in their declining years. Mr. Murgotten has been the Secretary of the Santa Clara County Pioneers since its organization; was, for five years, Grand Secretary of the Order of Champions of the Red Cross of California; and one year, Secretary of the Santa Clara Valley Agricultural Society. He is at present Supreme Representative from the Grand Lodge of California Knights of Honor; and Incorporate Director of the Grand Lodge, of the Ancient Order of United Workmen of California.

Hon. B. D. Murphy. Mayor Murphy, of San José, was born in Quebec, Canada, March 1, 1841, and accompanied his grandfather, father, and the rest of the Murphy family, to Missouri, and afterwards, in 1844, to California. After settling in San José, he was elected its Mayor, April 14, 1873, by the Democrats. In 1868 he was returned to the Assembly, when he polled two thousand two hundred and twenty-nine votes; and, in 1877, he was sent to the State Senate, with a total vote of three thousand two hundred and sixty-two. While holding the latter office, he was instrumental in securing the location of the State Normal School in San José. Besides this boon to the Garden City, he was one of the original founders of the San José Woolen Mills, and was a stock-holder in the concern until 1881. He is also interested in the Angora Robe and Glove Factory; and is President of the Commercial and Savings Bank as well. On the death of the eminent philanthropist, James Lick, Mr. Murphy was named by him one of the Trustees to his will, and so remained on the Trust until a new deed was executed. He was one of the chief movers in forwarding the road to the summit of Mount Hamilton. In 1862 Mr. Murphy studied law in the office of Williams & Thornton, and Campbell, Fox & Campbell, being "called" in 1865; he has, however, not practiced on account of his official duties. Married, in 1869, Annie McGeoghegan, and has living: Mary, Eveline, Martin, Elizabeth, and Gertrude. There are two deceased, Bernard and Thomas.

James Murphy. Was born in County Wexford, Ireland, September 19, 1809. In the year 1819 he emigrated to Canada, and when twenty-four years of age removed to Maine, but returning to Canada for nine years he then moved to Holt county (now Atchison), Missouri, where locating, he went

to Saint Joseph to take out lumber. In April, 1844, he set out for California with ox-teams, and in December arrived at Sutter's Fort. Leaving his family here he joined Captain Sutter, and with him proceeded to Los Angeles under Governor Micheltorena and returned in the following March. Mr. Murphy now moved his family to San Rafael, Marin county, where he resided and engaged in the lumbering business, furnishing the timber for the first wharf built in San Francisco, Leidesdorf's. When the discovery of gold broke out he went to the mines, coming to Santa Clara county at the end of a year. Our subject now settled near San José, and in company with his brother Daniel purchased the ranch San Francisco de Las Llagas, near Gilroy, but after a short time removed to San José and purchased five of the historical five-hundred-acre tracts about three miles from town, where he erected his present splendid residence in 1870. Married, April 12, 1839, Ann Martin, a native of Ireland, and has: Mary F., born in Canada, February 4, 1842; Martin D., born in California, at Sutter's Fort, February 6, 1845; William B., born in California, at Ring Wood Farm, August 21, 1850; Lizzie A., born in California, at Ring Wood Farm, July 8, 1853; Julia A., born in California, at Ring Wood Farm, June 6, 1857; Daniel J., born in California, at Ring Wood Farm, April 25, 1861.

Martin Murphy, Senior. Martin Murphy, Sr., was born in the county of Wexford, Ireland, on the twelfth day of November, 1785. Mr. Murphy was married early in his native country and resided there until 1820, when he emigrated with his wife and six children, then born to him, to Lower Canada, and settled in the township of Frampton, near Quebec. He soon gathered around him a considerable Irish settlement in the midst of a Canadian-French population, where he continued to live until 1840, when incited by a love of Democratic institutions, he emigrated with his family to Holt county, Missouri, since divided into Holt and Atchison counties, where many of his old neighbors in Canada followed him and formed a prosperous settlement known as the Irish Grove. The country, however, was subject to the diseases common on the Mississippi and its tributaries, and the colony suffered a good deal from sickness, and here it was that Mr. Murphy had the misfortune to lose his noble wife, the mother of his numerous family. This event determined him to make another change, and disposing of his effects and converting them into cattle and wagons, he and his family formed the larger part of a train organized to cross the Continent and seek a new home on the shores of the Pacific. It was on the 6th of May, 1844, that the train led by the old patriarch left the Missouri river and started on its long and uncertain journey. It consisted of twenty-six wagons drawn by oxen, and the following persons were of the party: Martin Murphy, Sr.; Martin Murphy, Jr., wife and four children; James Murphy, wife and child; Bernard Murphy, Daniel Murphy,

John M. Murphy; Helen Murphy, now Mrs. Weber of Stockton; James Miller and his wife, daughter of Martin Murphy, Sr.; Captain Stevens, now of Tulare county, who had general command of the party; John Sullivan, of San Francisco; Michael Sullivan, of San José; Dr. J. B. Townsend and wife, who died in San José; M. Schallenberger, William, Patrick, and Denis Martin, Allen N. Montgomery and wife, and some forty others, all more or less well known on the roll of California's Pioneers. The journey across the plains was a pleasant one and without accident, or molestation from the Indians, and the company arrived in safety in the month of November of that year at Sutter's Fort, on the Sacramento. The party crossed the mountains by the Donner Lake route, making their own road as they progressed, for at the sink of the Humboldt, all indications of a trail ceased. They brought the whole of their wagons across the mountains and made the first wagon tracks in California. At Sutter's Fort they learned that the country was in a state of war, that the native Californians under Alvarado had risen against Micheltorena, the Mexican Governor, and were endeavoring to drive him out of the country. The emigrants immediately enlisted in the Mexican service, and leaving the women at the fort, marched to Los Angeles, where they arrived late in January or early in February, 1845. After the battle of Chavengo, Mr. Murphy and his sons returned northward and settled in Santa Clara county, at the Rancho Ojo de Agua de la Coche, which he purchased and where he resided for a number of years. Always noted for his kindness and hospitality, Mr. Murphy's house, which was situated on the great road leading north and south, was one of the most noted at that early day in California. An abundance of the goods of this world awarded the old man's labors, and his children too have been liberally blessed in this way. In 1854 he erected on the San Martin Ranch a neat and commodious chapel and donated a tract of land for a graveyard. San Martin's Chapel was destroyed by an incendiary, April 2, 1877. Mr. Murphy was in many respects a remarkable man. He was always gentlemanly, always kind and considerate, with a countenance singularly mixed with an expression of gravity, gentleness and cheerfulness. We do not think he ever had an enemy, we never heard of one, we never heard any one speak of him except in terms of the highest respect. Truthfulness, conscientiousness and natural goodness, in its broad sense charity, were prominent marks in his character. We never heard him say an unkind word of a single being, living or dead, we have often heard him utter a word of excuse or apology, something to extenuate when others were condemning. Certainly that was a most beautiful Christian trait in his character and it is not to be wondered at that such a man should live beloved and respected and die regretted. Mr. Murphy died at the residence of his son-in-law, Thos. Kell, near San José, on Thursday, March 16, 1865, and on Saturday, March the 18th, his remains were followed to their last

resting place, in the Catholic cemetery at Santa Clara, by an immense concourse of mourners. In token of respect for the deceased, and in order that all who desired might attend the funeral, the County Court adjourned immediately at the opening on Saturday.

John McCarty. Born in County Cork, Ireland, June 24, 1828, and immigrated to the United States in 1849, first settling in Lynn, Massachusetts, where he resided five years. He then came to California by way of the Nicaragua route, in 1853, and soon found employment in a saw-mill at Bolinas, Marin county; thence he proceeded to San Francisco; afterwards to Benicia and Suisun, Solano county; then to Sacramento, Marysville, Wyandotte, Springtown, and Mountain Spring, and back to Sacramento, where he purchased a team after a year's work, and commenced peddling fruit to Grass Valley and Nevada City. Selling out at the end of twelve months, he found employment in the hoisting works of the Allison Ranch mine, but leaving this occupation in September, 1859, he returned to the Eastern States; however, the following year saw him back in Grass Valley. From there he went to Napa; from there to San José, Santa Clara county, and was variously employed until 1863, when he purchased a ranch in Evergreen, on which he resides. It comprises seven hundred and eighteen acres of ground, divided into stock range and arable land. Married, in 1863, Mary Gaveney, and has no issue.

Judge Lewis D. McKisick. The subject of our sketch, though not a pioneer of California, is descended from a pioneer family of his native State. His grandfather, Daniel McKisick, having served with distinction throughout the Revolutionary war as a Captain in the North Carolina line, and after the war, having served in the Senate and Assembly of that State as the representative of the then great county of Lincoln, down to 1799; in the year 1800 removed with his family and settled in what is now Bedford county, Tennessee, then the heart of the Indian country. Doctor Wilson H. McKisick, the father of the Judge, settled in Henderson county, Tennessee, in 1828, where the subject of our sketch was born, March 7, 1829. His mother having died in 1836, with a younger brother, he was sent to reside with his maternal grandparents, in the State of Alabama, where they remained until 1841, when they returned to Henderson county, Tennessee, and entered the academy at Lexington, the county town. After remaining there less than a year, the Judge went to the country and worked on a farm for some years, going to school when he could, and availing himself of every opportunity to improve his education, which he finally completed at the Lexington Academy in 1850. In 1851 he was elected by the Trustees Principal of that school, which he conducted for one year, in

the meantime devoting all his spare time to the study of the law. In 1852 he entered the office of Honorable Return J. Maigs, a distinguished lawyer of Nashville, Tennessee, with whom he remained a year. In 1855 he attended a term of the Law School of Cumberland University at Lebanon, Tennessee. At the end of the term passed a successful examination before Judges R. L. Cruthers of the State Supreme Court B. L. Ridley, one of the Chancellors, and Nathaniel Baxter, one of the Circuit Judges, and was by them licensed to practice in all the courts of the State. He first opened an office at Lexington in his native county, was then admitted to the Bar of the Circuit and Chancery Courts in the Fall of 1853, and to the Bar of the Supreme Court of the State at Jackson in the Spring of 1854. He remained at Lexington, doing fairly well, for about two years, and then removed to Point Henry county, Tennessee. From there he was induced to remove to Memphis about the first of November, 1858, where he continued to reside, engaged in professional pursuits, until the 11th of July, 1879. In 1875 the Legislature of Tennessee created a Court of Arbitration, or Commission of Appeals, to consist of three judges to aid the Supreme Court in disposing of the large mass of civil business which had accumulated on its docket. The first knowledge which Judge McKisick had that his name had been mentioned to the Governor, Honorable James D. Porter, in connection with this tribunal, was the information that he had been appointed one of the members of the Court. The existence of the Court was limited to a short period. The Commissioners discharged their duties with so much satisfaction to the Bar and to the people, that in 1877 the Legislature re-created the Court, to continue for two years. Judge McKisick was again appointed, and was by his associates elected Chief Justice, which position he filled during the existence of the Court. The business of the Supreme Court being still behind, the Legislature again, in 1879, passed an Act re-creating the Court. An appointment was again tendered to the Judge by Governor Marks, which was, however, declined. The Governor, however, shortly afterwards sent to him, which he accepted, a commission as Special Judge of the Supreme Court, to hear causes in which one of the regular Judges of the Court was incompetent. This was in June, 1879. In July of that year the yellow fever became epidemic in Memphis for the fourth time during the period of the Judge's residence in that city. Satisfied that Memphis is within the yellow fever zone, and that it will be subject to visitations of that dreadful scourge for all time, he felt it to be a duty which he owed to his wife and children to remove with them to a locality free from an epidemic disease, about which all that is known, is that it comes and kills—the first and only safe prescription which the physician gives, after he learns of its presence is: "Go, and stand not on the order of your going." Having been thus admonished, on the morning of the 10th

of July, within less than twenty-four hours the Judge was on his way with his family, to the mountains of East Tennessee. Having settled his wife and children in comfortable quarters for the Summer, he set about seeking a new home, and having long desired to visit California, he determined first to prospect that State. He came, and was so much pleased with San José and the beautiful valley surrounding the Garden City, that he made up his mind to return for his family and settle here, without returning to Memphis, and on the 23rd October, 1879, while the fever was still desolating their late home, they became citizens of their new one. The Judge soon after his arrival formed a partnership with Judge B. P. Rankin, which still continues. He was admitted by the Supreme Court, in 1879, to practice in all the Courts of the State. He has been a member of the Bar of the Supreme Court of the United States for several years. He was first married June 25, 1855, to Cornelia, a native of the same county in which he was born, and daughter of the late Honorable C. H. Williams. She died July, 1862. By this union there is one surviving son, Christopher W., born October 17, 1858. February 1, 1866, he was married to his present wife, Lizzie, a daughter of Honorable Robertson Topp, late of Memphis. She was then the widow of Colonel William B. Ross, who was killed at the battle of Murfreesboro or Stone View, to whom a posthumous daughter, Miss Willie B. Ross, a member of the Judge's family, was born February 22, 1863. By this union there are now living, four sons and one daughter. Lewis, born November 17, 1866; Robertson Topp, born January 18, 1871; Harmon, born April 7, 1872; Madeline, born September 15, 1875; and Donald, born in San Francisco, October 29, 1880.

Albert B. McNeil. Born in Sandusky, Ohio, August 11, 1850. His mother died at St. Louis, when he was but nine years of age, and together with three brothers, he resided for some time with relatives, at Unionville, Lake county, Ohio. His father having married again, Mattoon, Illinois, was then his home for several years, and until he began learning the printer's trade, in 1866, when he went to Chicago and finished his apprenticeship. Working at his trade, and corresponding with different newspapers (at one time being connected with the *Chicago Times*), Mr. McNeil traveled through most of the Eastern and Southern States, arriving on this coast, from New Orleans, in June, 1876. He at once connected himself with the *San José Mercury*, in the capacity of associate editor, which position he held for nearly two years, when, with a younger brother, he established himself in the printing business, at No. 572 First street. The *San José Republic*, started by A. B. and H. H. McNeil, was a six-column, eight-page weekly, and, although a fine publication, was of short life. Confining their attention thereafter to job printing, the firm of McNeil Brothers, gradually established a specialty

in Druggists' Labels, which is now their principal business, their trade extending all over the Pacific coast, some ten to fifteen hands being in their employ. In October, 1879, their establishment was moved to larger quarters, in Knox Block, where it still remains. January 1, 1881, Mr. McNeil bought out his brother, and although the firm name remains McNeil Brothers, the subject of our sketch now conducts the business alone.

J. M. Ogan. Was born in Boone county, Missouri, April 6, 1835, and is the oldest son of Alexander and Sarah Ogan. When quite young, his parents moved to Linn county, Missouri, where the subject of our sketch received his primary education, and was raised a farmer. On May 12, 1852, in company with his parents he crossed the Missouri river *en route* for California. The journey across the plains was a very pleasant one, save a little sickness from the cholera, when two out of the company, with which they were traveling, fell victims to the dread disease. After arriving at Hangtown, now Placerville, on September 20th, the company divided, and the subject of this sketch proceeded to this county. They located on a portion of the old homestead. In 1856-57, after J. M. became of age, he located a ranch in the hills, east of San José, where he made his home until the Fall of 1869, when he moved his family to the valley. In 1859 he returned to his native State and county, being absent two years. He then re-crossed the plains, and is now living upon the farm vacated by his deceased father, and comprising one hundred and sixty acres. He married, February 7, 1861, Miss N. E. Dryden, a native of Missouri, and has: Henry Walter, born February 16, 1862; Archer C., born December 25, 1863, and died April 29, 1866; William E., born December 11, 1865; Laura J., born September 22, 1867; Charles A., born May 4, 1870; Albert R., born July 2, 1872; and Frederick J., born April 3, 1875; His father, Alexander Ogan, was born in Madison county, Kentucky, in 1800, and departed this life, on May 5, 1874. His wife is still living.

Hon. J. J. Ower, Whose portrait appears in this work, was born in Onondaga county, New York, July 22, 1827. He was the second son of a family of seven sons and two daughters. His father, who was a farmer, dying when he was twelve years old, he shortly thereafter left the paternal roof-tree, and struck out to make his way in the world. He served an apprenticeship at the printer's trade in Auburn, New York, graduating as a journeyman printer at the age of eighteen, in the meantime devoting his unemployed time to a thorough course of study. He was married at the age of twenty-one to his present companion, by whom he has raised six children, two sons and four daughters. He continued to work at his trade until the Spring of 1850, when, catching the California fever, he sailed from New York to Panama, where he remained for two months, being unable to pro-

cure passage to San Francisco. He was a participant in what is known as the Panama war, which occurred that Spring, in which a number of Americans lost their lives. Returning to New York, he followed the business of farming and school-teaching until the Fall of 1851, when he came to California, and obtained employment as messenger on the Sacramento river, for Gregory's Express. He continued with Gregory until the failure of that house, the business of which was mostly transferred to the new express company of Wells, Fargo & Co. Mr. Owen continued as messenger for the new company until the Summer of 1853, when, becoming anxious to see his family, he returned to his home in Cayuga county, going in charge of the Company's express to New York, and delivering safely a large shipment of Alaska furs. He remained at home for about eight years, pursuing the business of farming, and a part of the time of school-teaching. He was elected Superintendent of Schools for three years, and subsequently, in 1857, as representative in the New York Assembly. He was appointed in that body Chairman of committee of Military Affairs, which committee had the disposal of the New York Arsenal property to the city of New York to prepare the way for the great Central Park. He was also a member of the sub-committee of the whole. In the Spring of 1851 he returned to San José, and at once assumed the publication of the *San José Mercury*, in which business he has been engaged ever since. Two years and a half after his arrival he brought out his family and made his permanent home in San José. In 1862 he was elected to the California Assembly, and again in 1863. He was elected Speaker *pro tem* of the Legislature of '63-64. Mr. Owen has been through life an active Republican, for which party he has worked with much zeal and ability, while his editorial management of the *Mercury* has been such as to gain for that periodical a high position among its contemporaries in the country.

William F. O'Banion. The senior partner of the firm of O'Banion, Kent & Co., was born in Morgan county, Illinois, September 2, 1831, and was there educated. He first came to this State in 1853 and engaged in mining and other pursuits, until June, 1855, when he returned to his native State and followed farming until 1860. He then moved to Maroa, Macon county, and embarked in mercantile pursuits; in 1863 he transferred the scene of his labors to Winchester, Scott county, where he started in the clothing trade. He arrived in California for the second time in October, 1870, and coming to San José, Santa Clara county, in the following month, commenced his present business, which place is now at Nos. 266-8-70, Santa Clara street. Married, October 7, 1856, Rosana Gray, a native of Mississippi, who came to Illinois when a child, and has: Marietta and Emma.

Robert Page. Born in Liepsic, Saxony, November 7, 1831, and was

there educated. In the year 1849 he emigrated to the United States, and during the first year remained in New York City. At this time he sailed for California, whither he arrived in December, 1851. He almost immediately proceeded to the mines, near Sonora, but leaving there in the Spring of 1852, he proceeded to Sacramento, where he opened a restaurant, after the "great fire." The business he conducted until "the flood," when he left and came to Berreyessa valley, Napa county. Purchasing a drove of cattle, he drove them to Sacramento by way of the Carquinez Straits, Benicia, and Knight's Landing, and on arrival sold them. He now again entered the restaurant business, but at the end of a year, removed to San Francisco and opened a bakery. We next find Mr. Page conducting a store in Calaveras county, which abandoning at the end of a fatal dry season, he took up a quartz claim at Musquito Gulch. From here he proceeded to Sacramento, thence to Rattlesnake Bar, Placer county, where he kept a store and bakery, at the same time prosecuting tunnel mining near Auburn; after three years he removed to Yolo county, engaging in sheep-raising for three years; thence to Sacramento, where he took charge of the books of the Lady Adams Company for a short time. Afterwards he managed the principal store in Downieville; thence proceeded to Austin, Reese river, but returning to Downieville, he embarked in the hotel business, which was burned with all his property, including a heavy stock of supplies. Mr. Page now traveled to Virginia City, Nevada, where he had charge of a very extensive slaughtering establishment; we next find him in business on his own account, in Empire City, carrying on a general merchandise store and butcher shop, where he remained three years. His health failing, in November, 1869, he arrived in San José. Here he bought out the grocery store of H. O. Weller & Co., which he disposed of in 1872, and made a six-months' voyage to Europe. On his return he was elected Secretary of the Santa Clara Valley Mill and Lumber Company, holding this position for three years; after which he joined J. E. Rucker in the real estate business, at the Commercial Bank Building, San José. Married, July 4, 1866, Katie Higgins, and has six children: Nellie, Milton, Pauline, Hertha, Alice, and Robert.

Elgin W. Paige. Born in Canada, October 26, 1857, some twelve miles from Waterloo, near Magog, where he resided until he came to California. After remaining one month with his parents in Vallejo, Solano county, he accompanied them to Contra Costa county, where they engaged in farming near Point of Timber. In 1878 his father located a stock ranch in San Antonio valley. In the year 1872 the subject of this sketch entered the University of the Pacific, which institution he attended a portion of the time until 1878 when he returned to the San Antonio valley, where he has a claim of one hundred and sixty acres of land. Mr. Paige is at this writing a

resident of San Felipe valley. Married, November 2, 1878, Alice R. Fellows, a native of Napa county, California, and has : Ernest R. E.

Walter A. Parkhurst. Born in Granville, Addison county, Vermont, January 10, 1837, in the public schools of which place he received his primary education and afterwards attended the academy in Rutland from 1855 to 1858. In the Summer of the last-named year he moved to Clarendon, in the same State and resided there until September, 1859, at which time he went to the city of New York, and thence per *Baltic* to the Isthmus of Panama, whence he proceeded to San Francisco in the *John L. Stephens*, arriving October 28, 1859. After a stay of eighteen days in that city he moved to the Mission San José, Alameda county, and on March 7, 1860, arrived in San José, near which city he taught school from May of that year until April, 1865. From the following June until September, 1866, he was in the employ of Wells, Fargo & Co., in San José, which he left on October 5, 1866, to enter the service of the Central Pacific Railroad Company as engineer, making his home severally at Sacramento, Alta, Truckee, and Wadsworth, Nevada. Mr. Parkhurst remained with the Railroad Company until June, 1869, when he moved to Hollister, San Benito county, and engaged in ranching until March, 1871, when he once more entered the employ of the "Central Pacific," and there remained until June 5, 1873. In October of that year he returned to San José, purchased his interest in a real estate office from Mr. Higgins and in company with the partner of that gentleman, Dr. Clark, conducted the business until the appointment of the doctor as Postmaster. Mr. Parkhurst then bought the entire concern and is now conducting its affairs at room No. 2, Knox Block, San José. Married, November 19, 1863, Martha E. Gruwell, a native of Iowa, and has: Harley E., Alfred L., Lawrence A., Lewis A., Milus W., Wilson E., Herbert N., and Minnie A.

Judge D. S. Payne. The subject of this sketch was born in Herkimer county, New York, June 11, 1831, and at the early age of ten years, was thrown upon his own resources to gain a livelihood. His first start in life was by working on a farm for one Summer at three dollars per month. The following Winter he attended school, "doing chores" before and after hours to pay his board. The succeeding Summer he received five dollars per month, and the next, nine, attending school during the intervening Winters. This method of gaining a livelihood, and laying the foundation for a thorough and practical education, young Payne pursued for a number of years. He then entered Fairfield Seminary, where he supported himself by teaching during the Winter months, and remained there until he had prepared himself to enter the Senior year at Union College. He commenced

the study of law in Herkimer, under Robert Earl, now one of the Judges of the Court of Appeals, and was called to the Bar in January, 1857, commencing, and continuing to practice, in his native county, until 1859; in that year Judge Payne came to California, and remained on this coast, until 1861, when he returned to New York, and thence to Washington, District of Columbia, where he passed the Winters of 1861-2-3-4. Mr. Payne was there engaged as an attorney before the Departments. September 8, 1864, he married Rosa, daughter of Colonel Dow, of Otsego county, New York, and together they came to California, and settled in San José, Santa Clara county, arriving here on the 13th of October following. Soon after their arrival he formed a partnership with Judge R. F. Peckham, which continued until Mr. Payne was elected County Judge, an office he filled with distinction for eight years. On his retirement from the bench he resumed the practice of his profession, which he still continues. His office is in the Knox Block. Evidently Judge Payne's motto through life has been, "*Aut vincere aut mori*"—to conquer or die. When we contemplate his career, we may well suggest the idea. One who was left an orphan at the age of ten years, who, without aid from any one, has gained an honest living, a liberal education, and reached fame; who has passed through temptations which only he who has had a like experience can appreciate; must glance over his past life with feelings of pride when he thinks that what he is, and what he has, are due entirely to his own unaided resources. Judge Payne has a beautiful residence at the north-west corner of Santa Clara and Twelfth streets. He has three children: Louise, born April, 1866; Theodora, born October, 1871; Rose, born December, 1875.

John H. Pieper. The eminent City Engineer of San José is a native of the Province of Hanover, Germany, and was born May 3, 1824. He was there educated, and after serving in the Engineer Corps of Holstein, obtained his honorable discharge November 25, 1851, and came to the United States the year after. After visiting the States of Texas and Ohio, he settled in the city of New York, where he was engaged as principal assistant engineer in the topographical survey of a portion of the State of New Jersey; on the completion of which he was employed as Chief Assistant Engineer in charge of the construction of the New York Central Park. Here Mr. Pieper was on duty seven years. He then accepted the position of assistant manager of the Mariposa estate, and with his immediate chief Fred. Law Olmsted, came to California in 1863. At the expiration of two years at this avocation, Mr. Pieper went to the mines and there remained until he came to Santa Clara county in 1867. Becoming a resident of San José his capabilities were soon found out, and on May 15th of that year he was elected City Engineer and Surveyor to the Corporation, since when he has held that important office



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and satisfactorily performed its functions. To his scientific knowledge are due many of the improvements of which the city of San José now boasts, while such engineering successes as the river improvements and the sewer system will be a lasting monument and tribute to his ability. Married, in June, 1868, to Adele Hoffman, by whom he has five children.

Theodore V. Purdy. The subject of this memoir was born in Hillsdale Hillsdale county, Michigan, February 6, 1842, where he received his early education, completing it at the Hillsdale College. At the early age of fifteen years he entered the office of the County Clerk of Hillsdale and there remained five years. In the Spring of 1862, he enlisted in the First Michigan Sharpshooters, but owing to delay in organizing the regiment, Mr. Purdy did not reach the front until 1864, when with his corps he at once went into active service, taking part in all the battles of the "Wilderness" to Petersburg, the most notable among them being that at Wilderness, Cold Harbor, North Anna, Pomonkey river, and Petersburg—for forty-five consecutive days were they under fire. At Spottsylvania Mr. Purdy was selected for promotion and at Petersburg received the choice of a First Lieutenant's Commission or an appointment in the War Department at Washington. The latter he accepted and served under Adjutant General Breck, until the close of the war. Our subject, after his fatigues, paid a visit to his parents at Coldwater, and then took up a permanent residence at Pentwater, Oceana county, Michigan, where he dwelt from the Spring of 1856 to 1873, being there chiefly engaged in mercantile pursuits and farming. In the Spring of the last-mentioned year he came to California, settled for about five years in Ukiah, Mendocino county, but in November, 1878, moved to San José, where he has since been connected with the firm of A. Sage & Co., grocers. Married, September 5, 1876, Sadie S., only daughter of E. H. Pratt, M. D., of Milwaukee, Wisconsin, by whom there is one child, Mabel Josephine, born July 25, 1875.

Byron Purinton. Born in Franklin county, Vermont, March 19, 1837. When sixteen years of age he went to Holyoke, Massachusetts, and apprenticed himself to the machinist trade, where, serving two years, proceeded to Boston, and for a few months was employed in Bird's Foundry and Machine Shop, East Boston. He now removed to Cleveland, Ohio, and there worked at his trade for Lord McClelland. Going from here to Illinois, Mr. Purinton was for several years employed in the shops of the Illinois Central Railroad, at Amboy, and the Chicago, Burlington and Quincy Railroad, at Galesburg. We next find him in Wisconsin, in the employ of the Mineral Point Railroad Company as machinist and engineer; thence he proceeded to Litchfield, Illinois, and was employed in the shop of the Terre Haute, Alton, and St. Louis Railway Company. He was next employed by the

Tennessee and Alabama Railroad Company, at Nashville, Tennessee, and returned to Mineral Point in the Fall of 1859, where he engaged in the machine and foundry business, in partnership with John Lanyon. In the Spring of 1862 he moved to Idaho, and after mining and prospecting till the Fall of the year he came down the Columbia river and then to San Francisco, arriving there November, 1862, where he worked a few months in the Miners' Foundry. Mr. Purinton next obtained an engagement in the shops of the Market-street Railway Company; appointed Master Mechanic at the end of nine months, and holding that position till the Fall of 1867. Next employed as Foreman in the shops of the Alameda Railroad Company at Alameda Point, and afterwards by the Central Pacific at Sacramento; returning to San Francisco, was next employed as engineer and machinist on the Southern Pacific Railroad. In the Fall of 1868 he purchased land in Merced county, and there engaged in wheat raising until the Fall of 1872, when, returning to San Francisco, he was again employed as engineer on the Southern Pacific; returning to Merced county, after six months, continued farming till August, 1878, when he removed to East San José; from there to Santa Clara avenue, his present residence. Married in Mineral Point, Wisconsin, November 24, 1860, Esther Lanyon, a native of London, England, and has five children: Emily M., George B., Edith L., Lillian E., and Beulah M.

William Quinn. Born in County Tyrone, Ireland, January 12, 1828. In the year 1841 he came to the United States and settled at Pittsburg, Pennsylvania, where he was engaged in draying until 1853. In that year he came to California, and, after a short stay in San Francisco, settled in San Mateo county, July 1st, and embarked in the livery business. Afterwards Mr. Quinn engaged in stock-raising and dairying, and in 1858 removed to Santa Clara county, and settled on the five-hundred-acre tract now occupied by him. Married, in San Francisco, May 11, 1856, Agnes B. Lennon, and has born to him seven children: William Thomas, born February 21, 1857, and died May 6, 1869; Marguerite Adelaide, born December 14, 1859; Nellie Josephine, born September 17, 1861; Daniel O., born February 28, 1866; Marion G., born January 10, 1868; Lizzie Agnes, born February 13, 1870; Winifred Frances, born July 19, 1872.

Benjamin P. Rankin. Attorney-at-law, was born in Indiana, June 20, 1824. He was educated at the Indiana Asbury University, in Greencastle, Indiana. Married Miss Martha Wilkins of that State, in 1847. Mr. Rankin came to California originally in 1849, across the plains, but was compelled, on account of ill-health, to return to his home in the Spring of 1850. He returned to this State again in 1861, since which time he has resided con-

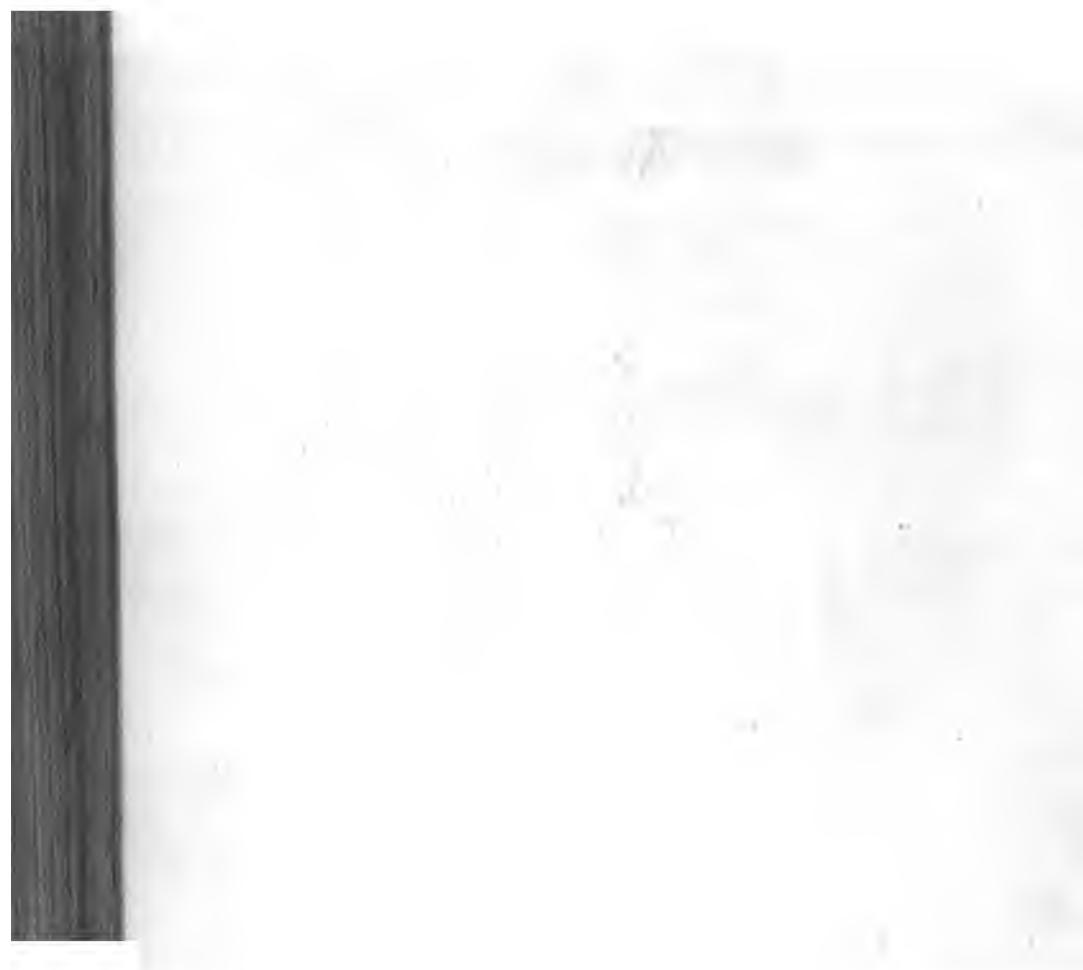
tinuously on this coast. He settled in San José with his family, consisting of his wife and two sons, in the Fall of 1867. His residence is in East San José, on a ranch of thirty acres of well-improved land. Mr. Rankin spends a large portion of his time in the Santa Cruz mountains, on the fruit farm of his eldest son, which they are improving and ornamenting in such a manner as in a few years will make it a very attractive and productive place. Besides a large orchard and vineyard on their mountain ranch, there is a carp pond filled with thousands of young carp, which thrive and grow very large, and are apparently as much at home as in their own native waters in Europe. The culture of this variety of fish promises to be quite profitable, as well as affording pleasure and amusement.

William A. Richards. Born in Hazel Green, Grant county, Wisconsin, March 9, 1849, where he was educated, and graduated from the High School of Galena, Illinois. In 1869, he removed to Omaha, Nebraska, becoming at once engaged upon public surveys, and during a connection of five years with that department, executed various Government contracts, to the entire satisfaction of the Surveyor General, as the letters of that official testify. In connection with his brother, Mr. Richards ran the south and west boundaries of Wyoming, an arduous undertaking, when natural obstacles and extreme precision of observation are taken into account, but all of which Mr. Richards testimonials prove were done to the entire satisfaction of the authorities. His unoccupied time during the Winter months, our subject devoted to the different publications in Omaha, but an active life was his desire, he therefore sought "fresh fields and pastures new" in California, where he arrived in 1874. After a short residence in Oakland, Alameda county, Mr. Richards located, in 1877, on a farm in San José township, Santa Clara county, where he now lives. During his residence in this State, he has been a Deputy United States Surveyor, and although not always actively employed, his labors ever give eminent satisfaction at the head office in San Francisco. He was elected County Surveyor, November, 1879, and went into office March 18, 1880, and is the present incumbent of the office. Married, in Oakland, December 28, 1874, Alice Hunt, a native of Missouri, and has one child: Eleanor Alice, born December 2, 1876.

John Rock. Born in Hesse-Darmstadt, Germany, August 19, 1838. In the year 1852 he came to the United States, and for about eighteen months was a resident of New York City; thence he proceeded to Ohio, working in nurseries at the several cities of Columbus, Cincinnati, and Dayton; from there he went to Canada, where he traveled for six months; then visited the Southern and Eastern States, and finally removed to Rochester, New York, where he worked at his calling for three years. We next find Mr. Rock



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pursuing his avocation in Philadelphia for a year, and after moving about through different States, he once more came to New York, and at the end of a year he transferred the scene of his labors to Long Island, where he dwelt until the breaking out of the war. April 11, 1861, he joined the Fifth Regiment New York Volunteers, and accompanied it to the field, serving as sergeant of his company; at the end of the two years time of enlistment he received his discharge, took passage to California by way of Panama, and arrived in San Francisco June 19, 1863. After a stay of two weeks in that city he proceeded to Santa Clara county, resided near Alviso, and in 1865, in the vicinity of Lick's Mill, started a nursery, which he conducted five years. At the expiration of that term he moved to a point on the Milpitas road, near the city of San José, where he acquired forty-eight acres of land and resided eight years. In 1879 he located on his present place on the Coyote creek, near Wayne's Station, on the Central Pacific Railroad, where he owns one hundred and thirty-six acres of land. Married, at San José, January 3, 1875, Anna Barbara Steiger, a native of New York.

Heman A. Saxe. Born in Sheldon, Franklin county, Vermont, February 27, 1836, where he received his early education in the common schools. At the age of eighteen he moved to Saxeville, Waushara county, Wisconsin, and with the exception of a Summer passed in Minnesota there resided for the next five years. On February 22, 1859, in company with twenty-five others, our subject started from Green Lake, Marquette county, Wisconsin, to Pike's Peak. Arriving at Boulder City about the first of the following May, where they remained only a few weeks, five of the party including H. A. and Jacob W. Saxe determined to advance into California, and finally arrived at Camp-tonville, Yuba county, but here our subject remaining only a short time pushed on to Santa Clara county and settled in the town of that name. After a course of scientific study in the College there, he commenced teaching in Solano county, but at the end of three years he returned to Santa Clara and engaged in teaching there for a twelvemonth, when he returned to Solano county and purchased a farm. Abandoning his agricultural pursuits in a year, he returned to the cultivating of youthful minds. Married Miss Flora J. Daniel on September 6, 1865, and with his bride returned to Santa Clara, where he made his home for five years. Mr. Saxe subsequently resided in San Francisco, in San José, Tulare county, Los Angeles, and finally came to East San José where he at present resides. He is now Principal of the Empire-street School, a position he has held with satisfaction to trustees and parents alike for the past four years. His family consists of William A. (*Deceased*), John D., Alfred W., and Emma R.

James Singleton. Born in Kentucky, November 23, 1820. He was

taken by his parents to Marion county, Missouri, when but seven years of age, and two years after to Adams county, Illinois, where he resided until 1843, when he proceeded to Wisconsin, and worked in the lead mines there. In the Spring of 1849 he started to cross the plains to California, with ox-teams, which, however, he exchanged for horses and mules at Salt Lake. His first stoppage in this State, was, for about three months, at Grass Valley; he then went to the mines, at Coloma, El Dorado county, where he wintered. In the Spring of 1850, he was at Rich Bar, on the north fork of the Feather river, Plumas county; thence he returned to Grass Valley, and afterwards to Calaveras, Placerville, and other mining localities, until, in the Fall of 1853, he came to Santa Clara county, and settled on the farm of three hundred acres he now occupies. Mr. Singleton has been a Director of the Farmers' Union since its organization, while he has also served as a Deputy County Assessor. Married, January, 1855, Pauline Cottle, and has: Laura C., born November 21, 1856; Thomas M., born March 22, 1859, Charles E., born April 25, 1861; Marshall J., born May 7, 1863; Henry A., born September 2, 1865; Walter E., born August 12, 1871.

Francis J. Smith. Born in Hesse-Darmstadt, Germany, January 28, 1843. In 1861, he came to the United States, and, after a short residence in New York, he went to Pennsylvania and conducted a grocery store until 1867, in which year he came to California, direct to Santa Clara county, and opened the first and only store in Evergreen, in May, 1868. In 1872 he went back to Pennsylvania with his family, with the intention of remaining there, and went into the oil, paint, and furniture business, with his father-in-law, but, after a year's trial, came back to California, and to Evergreen again, where he has been doing business ever since—satisfied that there is no place like the Santa Clara valley. Mr. Smith owns a fine house and three acres of land, planted with ornamental trees. Here he has in contemplation the establishment of a place of general resort and recreation. He is the Postmaster of the village, and was elected a School Trustee in 1879. Married, June 5, 1865, Catharine Shiely, and has: Lizzie, born April 7, 1869; Katie R., born October 18, 1870; Joseph V., born July 8, 1872; Francis J., born September 29, 1877; Clara A., born November 19, 1879.

Thomas E. Snell. The subject of this sketch, whose portrait appears in this work, was born in Essex county, Massachusetts, October 25, 1830. In the year 1851, he made the voyage, *via* Cape Horn, to California, in the ship *Euphrates*, and, after a short stay in San Francisco, went to Curtis' creek, Tuolumne county, by way of Stockton. Here he remained until July, of that year, when he changed his camp to Jacksonville, and mined there until the month of September; thence he proceeded to Jamestown, where he

worked until March, 1852. From the last point he made his way to Wood's creek, three miles from Poverty hill, and stayed there until June, at which time he went to French Camp and commenced freighting; his plan being to receive orders from the miners, fulfill them at Stockton, and return. This occupation he followed until August, when he commenced ranching at French Camp, and engaged in "hauling" wood to Stockton. On the setting in of the rains, he once more went to the mines near Poverty hill; the Spring of 1853 saw him conducting a store at that place, combining with it a freighting business, which he continued until the Fall of 1854, when he came to San José, Santa Clara county, and embarked in the butcher's trade with Henry Harvey. At the end of six months he changed that occupation for the milk business, and conducted such until 1856, when he acquired the property on which he now resides, eight miles south-west from San José, comprising eight hundred acres, three hundred of which he cultivates, and the balance lying in pasturage. Mr. Snell owns about four hundred head of cattle—chiefly cows—and is one of the largest producers of butter in the county. He also has a seven-hundred-acre stock ranch in Burnett township. Mr. Snell is one of the founders, and is at present a Director of the Farmers' Union; while he is also Clerk of the Board of Trustees of the School District of Oak Grove, who have one of the finest places of instruction in the county. He married, April 9, 1857, Catharine Hart, a native of Salem, Massachusetts, and has: Ruhamah A., born February 17, 1858; Harriet J., born September 1, 1860; Helen L., born February 23, 1862; Teresa L., born December 19, 1863; Everett T., born September 6, 1865; Lena M., born April 28, 1868; Katie E., born December 12, 1871.

James Snow. Born in Toland county, Connecticut, May 23, 1836. At the age of fifteen he went to the city of Hartford as clerk in a hardware store for one year; from there to Brooklyn, New York, as clerk in a grocery store, then back to Hartford, where he learned the trade of merchant tailor, and resided until the Fall of 1863, when he proceeded to Minneapolis, Minnesota, and carried on that business for seven years. He then came to California, and direct to Santa Clara county. Finally concluding to make his home there, he purchased his present property, near Berreyessa, consisting of about sixty acres. He also owns an orchard of some seven acres at The Willows, San José, where he is a large producer of rhubarb. In the year 1879, Mr. Snow was selected as a Supervisor for the county of Santa Clara, and for the last decade he has been a Trustee of the Berreyessa school district. Married, in Hartford, Connecticut, February 2, 1860, Frances H. Dewey, a native of Utica, New York, and has: Eugene D., born June 26, 1865; Fred E., born January 13, 1868; J. Everett, born May 29, 1873; Frank T., born May 12, 1875.

John J. Sontheimer. Born in Balzheim, Wurtemberg, Germany, April 16, 1842, where he received his early schooling. In the year 1852, his parents came to the United States, and settling in Dodge county, Wisconsin, commenced farming, the subject of this sketch acquiring the science of agriculture. Mr. Sontheimer now had a three years' term at the Wayland University, after which he taught school, and engaged in mercantile pursuits, but his health failing, he came to California, and located in San José, Santa Clara county, in the Fall of 1869. After having been book-keeper to Auzeais Brothers for some time, he organized a private school, for the English and German languages, which he discontinued at the end of twenty months, at which time he was offered, and accepted, the Principalship of the Hacienda school, at the New Almaden mine, where he remained three years. Mr. Sontheimer was elected County Clerk, on the Republican ticket, in 1875, and is the present holder of the office. Married, February 28, 1878, Annie Krieg, a native of New York.

Judge Francis E. Spencer. The learned Judge was born in Ticonderoga, Essex county, New York, September 25, 1834. When but an infant he was taken by his parents to Saratoga county, where he resided until he had attained the age of twelve years. In 1846 he emigrated to Will county, Illinois, and there received his education, first at the common schools of the district, and afterwards at the academy at Joliet, the county seat. In 1852, Mr. Spencer crossed the plains to California, arriving in September, and settled in San José, Santa Clara county. During the first years of his residence he was engaged in sheep-raising, farming, etc., after which he essayed the study of medicine, but abandoning that, he commenced reading law in the office of Archer & Voorhies, where he remained until called to the Bar of the Supreme Court, in January, 1858, his first office being opened at the corner of Second and Santa Clara streets. He was one of the Board of Commissioners of the Funded Debt of the City of San José, was appointed City Attorney, and acted as such from 1863 to September 8, 1879; District Attorney for 1862-65; to the State Assembly, 1871, when the codes were adopted; and Superior Judge, in 1879.

T. W. Spring. Born in Buffalo, New York, June 17, 1829. In his youth he moved to New Orleans with his parents, there received his education, and early in life embarked in the dry goods trade, when he laid the foundation for his present success in that business. In 1848 he enlisted in the United States Battery commanded by Colonel John B. Magruder and after making the voyage around the Horn, landed from the ship *Monte-rey*, at San Diego, in 1850. In 1851 Mr. Spring was discharged from service, and proceeding to San Francisco, there embarked in the auction

business, but after a short space he went to the mines, whence he returned to San Francisco. In 1860, he came to San José, and joined the late Nicholas Hayes, and afterwards established "The Great American Store," which is now conducted at the corner of Santa Clara and Market streets, San José.

J. P. Springer (*Deceased*). Was born in Washington county, Kentucky, October 27, 1812. He early developed a love for travel and fondness for adventure; when a young man, just from college, he conceived the idea of exploring the Far West; accordingly, with a little company of thirty, they started on their uncertain and perilous ride. They encountered many obstacles, and endured numerous privations. Nothing daunted, they, like sturdy yoemen, pushed forward, suffered much from hunger and thirst, being often obliged to travel for weary miles over long stretches of desert, almost famishing for a drop of cold water. The tortures of hunger were equally severe, and they were driven as a last resort to the necessity of eating their own mules. This to us would seem a bitter portion, but was to them the very morsels of life. After surmounting these and countless other difficulties, arrived in San José November, 1841; spent some months in viewing and inquiring into the resources of the country, then returned to Missouri, where he published and circulated many pamphlets and articles concerning this far-away country—this El Dorado of his dreams. He told the people of the fabulous wealth of hill-side and ravine, of the acres of wild oats on which roamed and fed thousands of wild cattle; of the richness of the soil, the beauty of the valleys; but above all he extolled our health-giving and health-restoring climate. His zeal and enthusiasm caused many to emigrate to California, more especially to this county, which he considered the garden spot. He made several trips across the plains; was married in 1845, and crossed the country with his family for the last time in 1852; located at Saratoga, about ten miles from San José. Was elected to the Legislature from Santa Clara county in 1859, where he served the people honestly and faithfully. Was a true gentleman and an earnest Christian. After a short illness at his home, he died of pneumonia June 4, 1861, regretted by the many friends his social and pleasant manners had made for him. He left a widow and one daughter to mourn the loss of a kind husband and loving father.

Orrin Taber. Born in Grafton, Grafton county, New Hampshire, October 22, 1840. In 1845 he moved with his parents to Manchester, New Hampshire, and thence to Chester, in the same State; afterwards to Sheldonville, Massachusetts, finally returning to Manchester, where he was educated. On the breaking out of the Rebellion Mr. Taber, July 19, 1861, enlisted in Light Battery A, First New Hampshire Artillery; was promoted to Quartermaster Sergeant,

and held the position until 1863; was further promoted to be first Sergeant; in the Spring of that year was commissioned Second Lieutenant; and in the following July was detailed for service on the Artillery Staff of the Second Army Corps of General Hancock. Having served his entire term with the Army of the Potomac, he was discharged October 9, 1864. Mr. Taber now proceeded to Washington, District of Columbia, and embarked in the grocery and provision business, which he continued until April, 1865, at which date he went into the hardware and agricultural implement trade. Retiring from this last occupation in February, 1868, he started for California, and arrived in San Francisco the 6th of March following, and proceeded to visit different parts of the State, which completed, he returned to Manchester, New Hampshire, in the Fall, and there resumed his former calling. June 1, 1869, he once more came to San Francisco, with his family, and engaged in the dairy business until 1872, when he came to Santa Clara county, and, settling in Santa Clara township, engaged in farming. In the Fall of 1875 he came to San José, and the next Spring, 1876, opened an agricultural implement store for Frank Brothers, of San Francisco, which business he now follows, in the Music Hall Building, No. 283 First street. Married, October 9, 1861, Calista A. Barker, a native of New Hampshire, and has: Charles A., Orrin, Samuel M., Lena M. and Lora J. (twins), and Harry E.

George W. Tarleton. The second son of Mathew and Elizabeth Tarleton, was born in Deerfield, New Hampshire, October 7, 1828. He received his early education at Alexander, whither his parents had moved. In the Spring of 1841 he accompanied his parents to Manchester, where he completed his schooling. Here he resided until May 5, 1852, when he sailed from New York for California, *via* Nicaragua, and landed in San Francisco July 7th of that year. Two days after found him in Santa Clara county, where, having worked at gardening a few months for Captain Joseph Aram, in 1853 he sowed a crop of grain, and the following year was employed by the before-mentioned gentleman, with whom he remained one year. In 1855 he was admitted a partner in the nursery business, and came to his present place in 1858, where he owns thirty-nine acres, in close proximity to the city of San José. Married, July 12, 1860, Jennie M. Brierly, a native of Vermont, and has: Charles B., born October 29, 1861; Frank W., born February 26, 1863; Lester G., born February 25, 1866; Lizzie M., born February 10, 1868; Edgar, born November 26, 1870; Albert, born April 16, 1874; Lucy, born August 13, 1876; Nellie, born July 16, 1880.

Frederick W. Tennant. Born in County Wexford, Ireland, February 8, 1855, and came to this county when a year old. After an attendance of three years he graduated at Benicia, Solano county, and about 1878 took

up his residence on the farm he now occupies about seven miles from San José. He also rents one hundred and twenty-five acres from his uncle. Married, January 3, 1878, Clementina January, and has John W. and Margaret M.

John Tennant. Born in County Wexford, Ireland, March 9, 1809, and there resided until he reached fourteen years of age when he went to Edinburgh, Scotland, and served an apprenticeship to the Cabinet and Piano-forte-maker's trade. At the end of six years he removed to London, England, and there remained ten years working at his calling. He now returned to his native land where he dwelt until 1852, sailing from London for California, United States, December 29th of that year and arriving at San Francisco in August, 1853. Coming at once to Santa Clara county he purchased the place known as Edenvale, seven miles from San José, and has since resided there. His present splendid mansion he erected in the year 1876.

Judge Charles G. Thomas. Born in Northumberland county, Pennsylvania, November 8, 1807, and was there educated. He went to Illinois in 1834, residing there until he came to California in 1851. After a residence of one year in San Francisco, during which he was attached to the United States Custom service, the Judge came to Santa Clara county and located on the property now owned by George E. Thomas, his son, but only occupying the place for about twelve months he purchased his present tract comprising eighty acres. Was Justice of the Peace for ten years, and Postmaster of San José for three years. Married Elizabeth Eckert in 1830, and has: Louisa, Charles L., residing in Providence, Rhode Island; Arthur R., now temporarily in California; George E., residence adjoining his father; William N., residence with his father; Delia D., residence with her father; Frank H., residence, San José.

Robert Thomson. Born in Fifeshire, Scotland, February 25, 1825. When young he moved to Dundee, Forfarshire, where he learned the blacksmith's trade and worked at it until 1848, in which year he emigrated to the United States and settled in Brighton, Livingston county, Michigan, where he embarked in his trade, and continued until 1850. In that year he crossed the plains with pack-mules to California, and a party of fifty men, journeying by way of Sublette's Cut-off. On his arrival Mr. Thomson turned his attention to the mines at Rough and Ready for a short time; he then came to Sacramento and worked at his trade for twelve dollars per day and board. He then took a short prospecting tour and returned to Sacramento, where he once more went to his forge. Here the whole course of Mr. Thomson's life was changed. While standing on the sidewalk one day in conversation, there chanced to come by a peddler who was retailing onions

at fifty cents per pound ; he ultimately sold the entire lot at forty-five cents per pound and realized thereby the sum of two thousand dollars. While cogitating over this streak of fortune the Rev. Isaac Owens happened that way and on ascertaining the out-turn of the bargain just struck said, that he had forty acres of land in Santa Clara county which he thought could raise onions, and would like to "go shares" with some one in putting it to that use. Thomson with William Coffee and Anthony Fromen, at once made arrangements with Owens. They proceeded to Placerville, purchased seven yoke of cattle and two wagons, came to Santa Clara county, fenced the land, it being the same now owned by Edward McLaughlin the banker, and is situated in East San José. Thomson built a plow of wood with a sheet-iron point, turned up the land, and the first year produced twenty acres of vegetables with a like quantity of barley, which was sold at eight to twelve and a half cents per pound. The next year he came on to the place on which he now resides. In 1853 he sold it and took up his abode near the Pala road where he remained until 1857, at which time he went to Sonoma county, but at the end of twelve months he returned, bought his former property back and has since maintained his domicile there. He owns one hundred and twenty-five acres of well-improved land. Married at San José, June 25, 1854, Ellen S. Wall, a native of Missouri, and has living: Robert E., born September 10, 1856; Thomas D., born April 14, 1859; George A., born October 6, 1871; Agnes M., born May 18, 1876.

William D. Tisdale. Born in Utica, New York, October 12, 1845. In 1854 his parents came to Nevada county, California, *via* the Isthmus of Panama, and arrived in the Fall of the year. In 1860 he entered the Santa Clara College, where he remained three years. He then returned to Nevada county, and engaged in quartz mining, until coming to the city of San José, in November, 1871. On the organization of the First National Bank there Mr Tisdale was elected cashier, a position of trust which he still holds. Married Leuella Gephart, a native of Niles, Michigan, and has: Bettie, John B., Robert D., and Blanche.

John Trimble. The subject of this sketch, whose portrait appears in this work, was born in Montgomery (now Warren) county, Missouri, February 17, 1828, but was raised, educated and acquired a knowledge of farming in Callaway county. In the year 1846, having enlisted, he served for thirteen months in the Mexican war under General Kearny. In the Spring of 1849 he started to cross the plains with ox-teams to California, and arrived at Lassen's ranch, on the Sacramento river, in the month of September of that year. Thence he proceeded to the mines in Shasta, and after a short stay there came to Santa Clara county and embarked in farming operations in

company with Samuel Q. Broughton and Robert Bailey at Berreyessa, and in 1850 raised a crop. In the Spring of 1851 Mr. Trimble went to the mines in El Dorado county but returned to his farm at the end of six months and stayed there until the Fall of 1852, when he paid a visit to the Eastern States, returning with his bride by way of the plains, and bringing with him a drove of cattle, which he drove to this valley. Here he resided until 1857 when he sold out and moved to the place he now occupies near Milpitas, comprising two hundred and fifty acres of land on which he raises fruit, berries, and, grain. Married, in Missouri, April 20, 1853, Mary J. Miller, and has living: Sarah R., Maggie J., Mary F., Mattie M., and John.

Marcus Trueman. Born in the Province of New Brunswick, Canada, May 10, 1821. When twenty-one years of age he emigrated to the United States and settled in Boston, Massachusetts, where he worked at the carpenters' trade which he had acquired in "the old country." He resided continuously in Boston until the year 1857, when he returned to the soil of his birth and there remained until 1868, in which year he came to California *via* the Isthmus of Panama, landing in San Francisco July 14th of that year. Coming directly to Santa Clara county, he obtained employment, and there worked for about eighteen months, on the Fourth-street Mill, when he purchased the undertaking business of Edward Albion and alone conducted it until February 1, 1871, when he took William L. Woodrow into partnership. In July, 1874, they removed to their present place of business at No. 408, First street, where the office of the County Coroner is also located. Mr. Trueman has been twice married, his second wife being Jane M. Evans. His family consists of: Lydia (by his first marriage), and Ida M. and John H., by his present spouse.

Austin F. Umbarger. Born in Withe county, Virginia, August 6, 1836, but moved at an early age with his parents to Clark county, Illinois, where he was taught farming. On the breaking out of the Civil War, he enlisted in the Thirty-fourth Regiment of Illinois Volunteer Infantry, Second Brigade, Second Division Fourteenth Army Corps, in which he served three years. He returned home and in 1866 started for California, coming direct to Santa Clara county. Taking up his residence with his brother on his farm three miles from San José on the Monterey road, he there had his headquarters until 1871, when he came to the place on which he now lives, comprising seventy-three acres of land, situated near Berreyessa. Married, November 29, 1874, J. E. Bowen, and has one child: Nellie May, born April 18, 1876.

Isaac N. Van Doren. Born in Oakland county, Michigan, November 13, 1843. In 1856 he moved with his parents to Ionia county, and was there

educated. In 1861 he enlisted in Company A, Third Michigan Infantry, but was rejected by the Government on account of age. Again on November 15, 1863, he enlisted; on this occasion in Company K, First Michigan Engineers, and joined the army of the Cumberland at Chattanooga, Tennessee; was with Sherman in his march to the sea, and after going to Washington, D. C., was ordered, May 23, 1865, to Parkersburg, West Virginia; thence to Nashville, Tennessee, where they were mustered out of service, our subject receiving his final discharge on the 6th of October of that year. Having purchased a farm in Iowa county, Michigan, he resided there until 1871, when he came to California, and after visiting different parts of the State settled in San José, Santa Clara county, in 1873, being then engaged as traveling salesman for Williams Brothers. In 1878 he went to Arizona but returned after a stay of thirteen months; he then went prospecting to Washington Territory, but at the end of four months he left, and coming back to San José purchased, August 23, 1880, in company with A. D. Daunes, the business of C. E. Bolley, at No. 271 First street, where they are now engaged in the coal, lath, plaster and cement trade. Married, October 7, 1863, Rachael Mitchell, a native of Canada and has one child: Ivy Ellen.

Daniel Van Pelt. Born in Staten Island, New York, in 1804, where he was educated. At sixteen years old he went to New Jersey, and afterward to New York City, and there entered into business. June 2, 1852, he sailed from the last-named port in the *Daniel Webster* for the Isthmus thence in the *Pioneer* for San Francisco, where he arrived August 21 of that year. Leaving a stock of goods which he had brought with him in the hands of commission merchants, Mr. Van Pelt took himself off to the mines, and, after a year, returned to San Francisco. He then bought a foundry and machine shop, and conducted it until 1858, when he came to San José, Santa Clara county, and purchased his present residence, at the corner of St. James and Teresa streets. Married, December 14, 1825, Eliza H. Faikner, a native of Newark, New Jersey, and has an only child, Mrs. Premilla Evans, now living. It should be stated that to Mr. and Mrs. Van Pelt were born seven children, four boys and three girls. Of these five died in New York City, and two joined him in California with their mother in April, 1858. Andrew H. Van Pelt, the son, volunteered in 1861 into Company D, First Regiment California Volunteers, and served during the war, three years, without loss of a single day. Receiving his discharge, with six other non-commissioned officers, they commenced their return journey, by way of New Mexico and Arizona. On the way Andrew Van Pelt was stricken with a fever, to which he succumbed on the borders of California. Mrs. Van Pelt died in San José December 15, 1862, and her remains were interred on the premises where her husband now resides.

Asa Vestal. The subject of this sketch is of an ancient family of Saxon and Scotch origin, and of Quaker stock, the first member, William Vestal, having emigrated from London, England, in the year 1683, with a large number of Friends (Quakers) who came to America to settle on the lands purchased by William Penn, and known as "Penn's Purchase," or Pennsylvania. The founder of the family settled in Lancaster county, Pennsylvania, reared a large family, and from them have sprung the "Vestals" in America. Asa Vestal is of the third generation, the order being: William, Thomas, Jesse, and Asa, who was born in Randolph county, North Carolina, in the year 1801, March the 17th; was married in that State to Elizabeth De Jarnatt, who is of French Huguenot extraction, and after a residence of a number of years, in 1839 moved to the State of Missouri, and for ten years was engaged in farming and wagon-making in Jackson county. In the year 1849 he removed to California, overland, with his family, and after spending the Winter of 1849 and the Spring of 1850 in placer mining came to Santa Clara county and settled in the suburbs of the city of San José, and has lived there since August, 1850, being engaged in farming and fruit-growing. Asa Vestal has never been engaged in active politics, but was a Whig of the old school and a Republican of the stalwart order of sound principles and good morals, ever ready to aid the distressed and help the deserving if unfortunate.

George Welch. The subject of this sketch, a highly esteemed citizen of San José, was born near Kircubbin, County Down, Ireland, November 12, 1838. At the age of fourteen years, he accompanied his half-brother, James Mageen, to Malone, Franklin county, New York, and there settled, where he completed his education; after which, in 1856, he was employed by the transportation firm of Field's & Co., of Malone and Ogdensburg, as traveling agent between the former place and Boston. Captain Welch remained in this occupation until the month of December, of that year, when he joined the Ninth Regiment of United States Infantry, and with them came to the Pacific coast. In March, 1857, he was assigned to Company H, stationed at Muchelshoot Prairie, about thirty miles from Fort Steilacoom, Washington Territory, where there was trouble experienced with the Flat-Head Indians. At this place he remained quartered seven months, when, being wounded in an affray with the natives, he was honorably discharged on that account. At this time, 1858, the Frazer river excitement broke out, therefore the Captain, with the sum accruing to him as pay from the United States Army, started for the gold fields, having as a comrade, James Macaulay, a Government teamster. Having arrived at Victoria, Vancouver's Island, arrangements for their search for the yellow metal, were completed; they then took passage in the *Otter*, conveying with them a canoe to be used in transporting their *impedimenta*,

when the upper waters of the Frazer were reached. From the last named craft, our voyagers were transported to the *Umatilla*, and in her journeyed from the mouth of the river to Fort Hope, the highest point reached at that time by a steamer. In the latter part of July, 1858, our subject located on Puget Sound Bar, some three miles below Fort Yale; prospected there for three weeks with no success, and finally, disposing of his entire outfit, left the diggings in disgust, his entire resources being the munificent sum of two dollars and a half, but backed with a stout heart and strong will, Captain Welch now proceeded to Fort Langley, where, finding Surveyor Gaston laying out a town, he obtained employment from him in cutting brushwood. After having performed some Custom House duties here, he joined the party of Colonel Hawkins, Royal Engineers, who was then establishing the boundary line between the territories of the United States and Great Britain, and, while thus engaged, was appointed to the responsible position of Foreman of Pioneers. Having remained at this occupation during one season, he accompanied the expedition into Winter quarters at Esquimalt, and while there in the end of 1859, entered the Police of the Colony, being a few weeks later chosen to be jailer of the Crown Prison, a post he filled with much credit until the year 1862. In this year the Bank of British Columbia established its first agency in Victoria, when the Captain accepted the position of Messenger to that establishment, and in the following Spring was deputed by the Bank, in company with Edwin Russell, to open their first agency in Carriboo. In 1863 he was sent to the mouth of the Quesnelle, to superintend the construction of their initial agency at that place, and was, later in the year, on the abolition of the Gold Escort, appointed Treasure Messenger to the Bank, having carried, while so engaged, upwards of two millions of dollars, all of which was safely delivered, notwithstanding the rough country which he traveled and the dangers to which he was exposed. In the meantime a change in the government took place, and through the instrumentality of the Bank Manager, Welch was appointed the first Inspector of Police of Vancouver's Island, under the administration of Sir Arthur Edward Kennedy, K. C. B. At the end of three years the office was abolished, on the union of the two colonies of British Columbia and Vancouver's Island, when he removed to California, arriving in the Spring of 1867. Being at this period appointed the Superintendent of the City Garden, then the fashionable resort of San Francisco, he rented the grounds, on its being turned into a joint-stock company, at the high rate of five hundred and fifty dollars per month, and continued them for three months, during which, he introduced for the first time, many of those daring performances which have since become famous. In the Spring of 1868, he came to San José, purchased teams, and, for a time, managed the outside work of Wells, Fargo & Co.; at the end of that year he went into the produce firm of Baraco &

Welch; one year after he embarked in the insurance business, which he has since continued, being now agent for the Mutual Life Insurance Company of New York; and the Liverpool London and Globe Fire Insurance Company—the two leading companies of the world in Fire and Life Insurance—to which he joins a large business in Real Estate and other agencies. After a varied life of much adventure and responsibility, we are happy to state that the Captain is now in the enjoyment of that ease and respect which long years of faithful service entitle him to. Captain Welch commanded the San José Guards, organized May, 1872, from their first organization until they were disbanded in 1874. They were independent, and were said to be the finest body of Soldiery Militia in the State; but the cost was too much for the Captain to stand for glory, especially as the Captain is chairman of all committees, according to the tactics now in use. He married, in 1862, Kate Riley, and has a family of five children, viz.: Annie M., born February 14, 1864; Mary E., born December 19, 1866; George, born in San Francisco, June 8, 1868; Katie, born in San José, January 7, 1871; John Mitchell, born in San José, March 28, 1875.

Charles F. Wilcox. Born in Joliet, Will county, Illinois, July 6, 1852. He came with his mother to California in the Fall of 1857 (his father having previously arrived here), and the family settled for a time at Monte Christo, near Downieville. In the Spring of 1858 they moved to Silveyville, Solano county, and there remained until 1861, at which time they moved to Maine Prairie, in the same county. From here the subject of our sketch came to Santa Clara in 1865 to enter the Santa Clara College, from which he graduated A. M., in 1871. Mr. Wilcox at once settled in San José and entered upon the study of the law with Bodley & Rankin, with whom he remained, as well as with Spencer & Rankin, until he was admitted to practice before the Supreme Court, in January, 1875. On the dissolution of the last-named firm, Mr. Wilcox became associated with B. P. Rankin, and afterwards for a few months, with James H. Campbell. In January, 1878, Mr. Wilcox commenced practice alone. His office is room 2 Commercial Bank Building, and he enjoys a fine residence upon the Alameda. Married, November 17, 1875, Frances L. Cahill, a native of California, and has: Harriet Marguerite, born September 30, 1876; Mary Christabel, born June 18, 1878; Lucien Harvey, born March 29, 1880.

ADDENDA.

[The following biographies not having arrived in time to be inserted in their proper places, we are obliged *per force* to produce them by themselves.]

ALVISO.

C. W. Young. Born in Cayuga county, New York, January 26, 1826, and was there educated, and reared a farmer. In 1852 he came to California, arriving in July, and at once went to the mines near Sonora. Coming back, at the end of a year, to San Francisco, he entered the employ of I. Friedlander, and was with him four years. He next was engaged by Kennedy & Hopkins for a year. He then, in 1858, came to Santa Clara county, and settled at Alviso. Here he was for ten years in the Alviso flour mills, and is now a farmer. Married, September 6, 1862, Mary Pollard, and has an only child, Mary F.

BURNETT.

J. M. Wilber. Native of Ontario county, New York, born February 4, 1828, where he received his education, and was brought up a farmer. In 1850 we find him at Ann Arbor, Michigan, where he engaged in farming for two years, when he emigrated to California. He left New York City on the 8th May, *via* the Nicaragua, landing in San Francisco, June 6th. He at once proceeded to the mines in Coloma, El Dorado county, where he prosecuted mining for four and one-half years, meeting with good success. At the expiration of this period he came to the county, and located in San José, where he prosecuted farming until the Fall of 1867, when he settled on his present place, comprising one hundred and eighty-two acres, where he has resided continuously ever since. Married, April 19, 1848, Ann Covert, a native of Cayuga county, New York. Samantha is their only child. Mr. Wilber has interests in mines in Bodie.

GILROY.

N. S. Elrod. Native of Orange county, Indiana, born September 1, 1828, where he was educated, and raised a farmer. In 1856 he went to Texas, and there engaged in farming for five years. In 1861, he started across the plains for California, and arrived in Gilroy township, June 10, 1862. In the Fall of 1862 he bought his present farm, comprising eighty acres, of A. S. Hinman. His ranch is located six miles west of Gilroy, on the Uvas

creek. He is engaged in a farming and fruit business, and also owns a tract of fifty-three acres further up the creek. Married, September 18, 1855, Hannah R. Fitts, a native of North Carolina. Andrew Jackson, Susan C., now Mrs. Thomas Hilton, Mary E., Clara Grant, Emeline, Albert, and John, are the names of his children.

George Eustice. Born in England March 2, 1843, and emigrated with his parents to Grant county, Wisconsin, in 1846. Here he remained until 1861, when he enlisted in the late Rebellion, served three years, and then returned to Wisconsin. In 1866 (Spring) we find him in Montana, where he worked in the mines, and at blacksmithing, until the Fall of 1869, when he came to California, locating in Gilroy, this county. Here he erected his blacksmith and carriage shop, and also a dwelling-house, where he resides at this writing. Married, in December, 1869, Selena Richards, a native of Wisconsin, and has: Willis W., George, and James Garfield.

MILPITAS.

Edward Topham. Born in Toronto, Canada, October 25, 1840, where he learned the trade of blacksmith. When seventeen years of age he came to the United States. His stay was short, however. But in 1868, he returned, and after traveling through a large portion of the country, came to California, direct to Santa Clara, and in that city worked at his trade for six months. He now came to Milpitas, purchased a half-interest in a shop, and became associated with Mr. Boyle. Mr. Topham has been a School Trustee for several years, and is the present Clerk of the Board. Married, in 1876, Miss Hattie Castle, and has four children: Clarence, Frank, Edward, and Chester.

REDWOOD.

John E. Daves. Born in Jo Daviess county, Illinois, September 6, 1844. In the Spring of 1852 he crossed the plains, with ox-teams, to California, accompanied by his parents, and settled in Santa Clara county. His father, having preceded him in 1850, took up the ranch, and returned for his family. In October, 1852, they settled on the farm near Moreland school-house, where they resided until 1870, engaged in farming. In the year 1866 the subject of this sketch left the parental roof, and proceeded to Tulare county, and thence to Kern county, in both of which he was occupied in stock-raising. In 1870 he returned to Santa Clara county, and in 1872, located on the five-hundred-acre farm he now owns. Married, March 6, 1872, Mary E. Parr, a native of California, and has: Charles C., born February 10, 1874; Pearl, born September 20, 1877.

George Seanor. Born in Yorkshire, England, January 5, 1844. When eleven years of age his parents moved to the United States and settled in

DuPage county, Illinois, where he received his schooling and learned the trade of blacksmith. When only eighteen years of age he started in a shop of his own and successfully carried it on until 1863, when he wound up his business and started for California *via* Panama. Upon arrival in San Francisco he worked at his trade a short time, then went to Saratoga, Santa Clara county, and there entered into business with James McWilliams, but a few months thereafter, selling out to his partner he proceeded to Santa Cruz and afterwards came to Lexington, in this county. After working there for about a year he went into partnership with W. T. Elledge, and so remained in business until 1872 when he sold out his interest to his partner and removed to Los Gatos, where he had established a blacksmith shop in 1870. In 1872 he added a carriage shop to this last-named business, and in 1879 built another addition for a shingle factory, with a capacity of thirty thousand a day, which business he is now conducting. Married, November 30, 1875, H. J. Daves, by whom he has two living children, viz.: Georgie H. Seanor, born August 26, 1877; Cora Edna Seanor, born March 26, 1881.

SANTA CLARA.

Peter H. Doyle. Born in County Wicklow, Ireland, on St. Patrick's day, 1830. In 1849 he came to California, and to this county, and settled in the town of Santa Clara, in September, 1851. After engaging three years in the produce business he turned his attention to farming, and is now one of the raisers of the finest bred swine of the Berkshire and Essex breeds, taking, also, a keen interest in horses, a yearling colt of his being a marvel of perfection. Married Miss C. M. Lawless, and has two children, Mary and Katie.

SAN JOSE.

John Balbach. This old and much esteemed settler of Santa Clara county, was born in Mergentheim, Germany, February 13, 1820. Emigrating to the United States at twenty-eight years of age, he landed in New York City in May, 1848, and almost immediately proceeded to Cincinnati, Ohio, where, remaining but three months, he moved to Harrisburgh, Owen county, Kentucky, and obtained employment in a carriage manufactory. On March 28, 1849, in company with nine others, Mr. Balbach left Harrisburgh for California, their outfit consisting of horse-teams and wagons. On arrival at a point about one hundred miles west of Fort Smith, the drifting snow and inclement weather compelled them to exchange their animals and vehicles for mules, which they obtained from an Indian trader there located. The barter effected, such articles as were thought to be most requisite were disposed on the pack-saddles, and the march taken up; but now serious troubles commenced, for the mules, which had never been worked, here proved unruly, one with all the sugar on his back bolted and never returned, while another

broke his neck while hitched to a tree, necessitating the abandonment of his burden. Notwithstanding these mishaps, as well as the enduring of hardships such as have been experienced only by the earlier voyagers to this State, our subject and his comrades arrived safely at Santa Fé, whence they started by the middle route for California, but were obliged to retrace their steps owing to the melting snows and swollen mountain torrents, causing a detention of nearly two weeks. Once more a start was effected and the Gila River route to the Colorado taken; thence to the place on which Fort Yuma now stands. The crossing of the swift-rushing Colorado was not without excitement, therefore let us relate the experiences of this company of pioneers, which had now been augmented to thirty-five men. The stream was found to be much swollen and therefore the crossing hazardous, but it must be made. Indians were hired to construct rafts, which were to be paddled, the mules meanwhile being swam to the opposite bank, and a return voyage made for the men. Let us see what were Mr. Balbach's experiences. The raft on which he and two of his companions took passage, was composed of three logs lashed together, but so carelessly fastened were they that when half way across they broke adrift, leaving an Indian and a man on one log, a second man on another, and the subject of our sketch being carried away with the current on the third. Finding himself quickly swept from the shore, Mr. Balbach plunged into the swirling waters and happily reached the bank, but so enfeebled was he from the effects of a recent fever, that he had no sooner joined his friends than he swooned away, to find on awaking to returning consciousness, that the Indians had stolen their mules. Here indeed, was a dilemma! He who is acquainted with the burning sun, the scorching sand, and seared sage-brush of that inhospitable region, will readily imagine the feelings of our pioneer, as he fully realized that this broad desert must be crossed on foot, with but little food, a scant supply of water, and he exhausted by a long illness. It was confidently asserted that he would never reach California. "What I suffered on that march," says Mr. Balbach, "no one but myself can ever know. How I reached the spot where Fort Yuma has since been built it is impossible for me to say, and yet I have been trying to solve the riddle for the past thirty-one years." On August 10, 1849, he arrived at Rowland's ranch, and in the following December came to San José. On arrival he applied at an adobe house (situated on the lot next to that on which he now resides), occupied by a Spaniard, for permission to remain over night, which was granted; he therefore removed his blankets from off his horse and proceeded to picket the animal on the ground now occupied by Joseph Enright's foundry, at the corner of First and William streets. This effected, he returned to the house to find that his blankets were nowhere to be traced—they had been stolen. Weariness, however, brought sleep. In the morning he awoke to discover that his horse had gone, pre-

sumably to keep company with his blankets, for neither have since been seen by their legitimate owner. It is this fortuitous circumstance that determined him to make his home in San José, where he has been a resident from then till now. Married, November 15, 1854, Minna Berner, a native of Germany, by whom he has nine children.

John Barry. A native of Ireland, born 19th March, 1835, and emigrated to the United States, landing in New York City, November 15, 1840. Migrating to Frankfort, Kentucky, he settled there for a few years, then removed to Louisville, same State. Mr. Barry being somewhat nomadic, again migrated to New Orleans, Galveston, Texas, and Cuba, stopping a while at each place. Again he came to the United States, proceeding to Memphis, Tennessee; from thence returned to New Orleans. The continued stories of California's golden wealth proving something more substantial than a dream to the eager eyes turned westward from the Crescent City, the fever seized Mr. Barry, with the rest, and he embarked for this State, via the Isthmus, arriving in San Francisco May 6, 1852. After varying fortunes he returned to New Orleans, arriving June 11, 1855; remaining a year, he again bid adieu to the South, and set face toward the Pacific slope, arriving in 1856. This time he settled in San José, and entered the employ of Bartley & McCutchen, who were engaged in the livery business. In the Spring of 1858 he opened a hostelry at the Twelve-mile House, and conducted this business successfully for nearly four years, when, desiring a change of occupation, he purchased a ranch near that place, in Burnett township, where he resided for about ten years, and again resumed his old occupation of inn-keeping at the Fifteen-mile House; here he remained until 1875, when he removed to San José, and opened a store, at the corner of First and San Antonio streets. Afterwards selling this business he purchased a half interest in the Wallace Livery Stable, where he continued for three years, at the end of which time he once more sold out, and made a long-contemplated visit to the States, remaining there a few months. But his heart was still in the "Golden State," and we find him here among us once more, resuming his old occupation of livery-stable keeping, on First street, having bought out Mr. Downs; after continuing at this stand for three years he moved his business to 255 Santa Clara street, and there remained until succeeded by his son Tom C., in 1881. After disposing of his livery business he became proprietor of the Russ House, corner First and San Antonio streets. Mr. Barry, in 1856, married Margaret Martin, a native of Ireland, from which union there are living four children: Tom C., James, John, and Mary, now wife of Harry Ziggs.

Tom C. Barry. The subject of this sketch is a native and life-long

resident of San José, and is not only well-known, but much liked wherever his genial face is familiar. Born January 6, 1857; in his seventeenth year he entered for a classical course at St. Mary's College, San Francisco. So well was he prepared that in two years he graduated with the degree of B. S. In 1876 he returned to San José, choosing law as his future profession. For this purpose he entered the law office of D. M. Delmas, Esq., and continued with him for fifteen months, when ill-health compelled him to relinquish his studies. Soon after he was appointed Chief Deputy Clerk in the County Assessor's Office, under Henry Phelps, and remained there during that gentleman's incumbency in office; after which he accepted a position in the County Treasurer's office. Desiring to adopt a more active career, he, in February, 1881, purchased the City Livery Stables from his father, and soon, owing to increasing business, removed the establishment to No. 250 Santa Clara street, and there can now be found giving his active personal attention to his business. Mr. Barry, though but a young man, is favorably known for his many kindly and able qualities, of which his aspiration to the histrionic art is not the least. We may add that Mr. Barry married Laura Rogers, a native of Mauch Chunk, Pennsylvania, and by this union have born to them two children, Laura M., and John T.

Isaac Branham. This old and much-respected pioneer, whose portrait appears in this work, is the oldest son of James and Elizabeth Branham, born in Scott county, Kentucky, August 31, 1803, where he received the principal part of his schooling. In 1824 he left Kentucky, and took up his abode in Callaway county, Missouri, making the trip on foot, with a United States knapsack on his back, which was given to him by a friend who was in the war of 1812. The father of the subject of our memoir was born in Virginia, and served in the war of 1812, under Colonel R. M. Johnson, and was in the battle on the Thames. In the Spring of 1846 Mr. Branham crossed the plains with ox-teams, with his wife, to California, and arrived at San José in that year. He married, February 23, 1832, Amanda A. Bailey, a native of Kentucky, born November 27, 1813. They have lived together many years, as will be seen by the date above, and although they bear the marks of the frosts of many Winters, they are hale and hearty, and are honored and respected by all who know them. James, born April 2, 1835; Francis E., born August 5, 1838; Margaret, born July 21, 1841; Benjamin F., born July 15, 1845; Charles, born October 24, 1854; Mary, born January 7, 1860, are the names and births of his children.

Jacob Newton Brown, A. M., M. D. Born in Cincinnati, Ohio, April 25, 1837. Owing to the death of his parents, in early youth he was placed under the guardianship of his grandparents, who resided in Highland

county, Ohio, and here the Doctor was reared until he arrived at an age when his labor could command five dollars a month, and out of which he saved enough to pay for his board while he attended the South Salem Academy, located about eighteen miles south-west from Chillicothe, Ross county, Ohio. Here he laid the foundation of those scholastic acquirements for which the Doctor is noted. He subsequently graduated A. B. and A. M. from the Miami University, 1857. Doctor Brown at this period proceeded to Burlington, Kentucky, to accept the principalship of a female seminary, where he remained twelve months. In 1859 he entered the Medical College of Cincinnati, Ohio, then under Professor Thomas Wood, from which our subject received his diploma in March, 1860. In October of the same year he came to California, *via* the Isthmus of Panama, and, settling in San José, entered upon the practice of his profession. In the year 1864 he was called to the Chair of Anatomy in the Toland Medical College—now a portion of the State University—a position he held two years. On his return to San José he again practiced medicine, which he still continues. Office, Room No. 9, Globe Block, Santa Clara street, San José. For the past eight years Dr. Brown has been Surgeon to the Southern Pacific Railroad Company. The Doctor, close student that he is, is a whole-souled, genial gentleman, whose reputation as a physician is beyond cavil, while his integrity as a man is unquestioned, added to which he wields a facile pen as a writer of more than ordinary ability. He married Anna Hutchinson, a native of Cincinnati, Ohio, and has one daughter: Maud.

John S. Carter. Born in Swanzy, Cheshire county, New Hampshire, February 25, 1828, moved to Peterboro, New Hampshire, when two years old, where he was educated, after which he moved to Lowell, Massachusetts, and learned the carpenter's trade, working at it until January, 1852, on the tenth day of which month he took passage in the steamer *Ohio*, for Panama, steamer *Oregon* from Panama up to San Francisco, and landed in that city February 10th of the same year. His first employment was the unremunerative one of cutting cord-wood, at Sherman Island, without pay. He there returned to San Francisco, and commenced working for Governor Bagley, at his trade, where now stands the bonded warehouse, on Battery street. At the end of a month he was employed by Mr. Ham, took passage in the schooner *Andrew Roy*, and landed at Alviso, July 1, 1852, and erected a warehouse there for that gentleman, he being placed in charge thereof, on completion, by Ham & Flourney, the owners. In this capacity Mr. Carter remained until 1854, when being called to San Francisco by his employers, he was placed in charge of more extensive affairs. He was next sent, by Ham to Milwaukee, Oregon (Ham & Flourney dissolved at the time he went to Oregon), to superintend his grain and lumber interests, for

about ten months. On the failing in business of Ham, Mr. Carter was engaged by Bray Brothers, then located at the corner of Front and Washington streets, for two years, then after a lapse of twelve months returned to them for a like period. In March, 1862, he returned to Alviso, and was agent for I. Friedlander, whose business he managed until 1863, when railroad communication was opened between San José and San Francisco, at which time he moved to the former city, and continued his connection with the Grain King until his death in April, 1879. Mr. Carter, with J. J. Ortleigh and William McCall, has built two warehouses in Alviso, while on his own account he has erected two more in Hollister, San Benito county, which he still conducts. Besides these, he constructed in company with T. F. Douglass and Captain John Martin, the schooner, *Muggie Douglass*, and with John Martin and Alfred Mills, the *Nellie Carter*. He is manager of the San José branch of the Home Mutual Insurance Company, and has his office in the San José Savings Bank Building, Santa Clara street, his residence being No. 162 First street, San José. Mr. Carter married, June 7, 1859, Phoebe E. Butler, and has four daughters: Nellie, born September 6, 1862; Lizzie, born December 4, 1865; Florence, born August 7, 1867; Rose, born February 1, 1872.

Dr. J. P. Dudley. Whose portrait will be found in this work, is the second child of Moses and Mary Dudley, and was born in Steuben county, New York, August 1, 1822. At the age of sixteen years he entered the Geneva College, and, subsequently, after graduating at the Buffalo University of Medicine, commenced practicing his profession in 1846, and so continued until 1849, when he started for California, with mule-teams, *via* the plains. Arriving at Tehama in the Fall of the year, he proceeded to Sacramento, resided there until June, 1850, when he essayed his luck at the mines on the middle fork of the Yuba river. In November he abandoned the diggings, and coming to Santa Clara county, located on a portion of the Naglee Tract, but removed from there, to the place where he now dwells, at the end of a twelvemonth. The Doctor is now a resident of San José township, on a fine farm of two hundred acres. He married Miss E. Staniford in 1874, and has two children, Louisa, and Flora.

Nathan B. Edwards. This old settler was born in Ireland, April 1, 1830, and in 1841 emigrated to the United States, first settling in New York City, where he was educated and under his father learned the butcher's trade. Ten years later he came to California *via* the Isthmus of Panama, and arriving in San Francisco, February 10, 1851, shortly after proceeded to Nevada county, engaged in mining for six months then established himself in Sacramento for a year. Thence he moved to San Francisco and after-

wards to San José, locating there in December, 1853. He first engaged with William Wood in the butcher business, and in 1854, buying out that gentleman, he conducted the Shamrock Hotel, then situated not far from Mr. Edwards, place of business, No. 316 Market street, San José. Our subject has now been conducting his present trade for a quarter of a century, and for four-and-twenty years on the ground he now occupies. Mr. Edwards has lent his influence to everything that would tend to build up San José; especially has he been interested in the improvement of the live-stock of the county, which his position as one of the Directors of the Agricultural Society has materially aided to effect. He married, October 28, 1855, in San José, Mary Kirwan, and has: James W., Martin F., Robert E., Mary Elizabeth, Mary Emma, Joseph Andrew, and Mary Cecelia.

W. R. Empey. Born in Canada, September 27, 1840, where he was educated, and reared on a farm, afterwards learning the harness-maker's trade in Orningville, Wellington county, Ontario. In 1863 he commenced business on his own account, and continued until he started for California, where he arrived June 1, 1867. Settling in San Francisco he was employed by Main & Winchester, and remained with them for about a year. In 1868 he came to Santa Clara county, and established himself in San José, in company with S. Menzemer; manufactured horse-collars for the trade until 1870, when our subject retired from the firm, and after a month, in partnership with W. H. Lennard opened a harness shop on Santa Clara street, which they afterwards moved to the corner of Lightston and C streets, but two years later transferred to the Music Hall Building, No. 289, First street, San José. Married, February 27, 1862, Janet Hume, a native of Canada, and has: Hattie, born December 21, 1864; Maud, born August 17, 1866; Willie, born June 21, 1871.

Hon. William Erkson. Born in Delaware county, New York, June 25, 1829, where he was educated. At a tender age he was left an orphan, and the shaping of his own career left to himself, but he was prepared to meet the "whips and scorns of time" single-handed. His first employment was teaching school at the age of sixteen, and afterwards was, for three years, in a mercantile establishment in Schenectady, New York; he afterwards moved to Paris, Edgar county, Illinois, where he taught school for two years; thence he crossed the plains to the Pacific coast, leaving St. Joseph, Missouri, May 22, 1852, and arriving at Sacramento, September 13th; to the mines he went for a short time; and in the Winter of that year came to Alviso township, Santa Clara county, where he settled on a farm, with his uncle, A. C. Erkson, near the Lick Mill, now owned by Mrs. Fenton. Here he remained until he purchased two hundred acres of the Alviso Ranch, in 1857,

where he made the first improvements attempted on it, and which he occupied until his removal to the city of San José, in July, 1874, whither he came to take charge of the store of the Farmers' Union, of which corporation he had been elected President. This position Mr. Erkson held for four years, when he resigned, and, in the month of August, 1878, entered into partnership with F. J. Brandon and E. C. Smith, in the grocery and provision trade, their place of business being then, as it is now, Nos. 352-4 Pfister's Block, Santa Clara street. Married, June 4, 1859, Laura A. Derby, a native of Massachusetts, and has: William Lewis, and Charles Willard. In the Winter of 1854, Mr. Erkson served in the Assembly, Fifteenth session, and has ever been a staunch Republican, and taken an active part in the Party, having been on several occasions Chairman of the County Committee, and a member of the State Central Committee.

Hiram Fairfield. Was born in Fort Ann, Washington county, New York, April 5, 1836, but when an infant, he was taken by his parents to Wyoming county to reside, and was there educated. He arrived in San Francisco *ex John L. Stephens*, November 30, 1854, and after a year's residence there, went to the mines, but came back at the end of a twelvemonth, and permanently abode there until the Frazer river excitement, in 1858. To British Columbia, therefore, he proceeded, but, among the many disappointed, returned in 1860, and, in the Fall of that year, settled in Alviso township, where he resided until elected Auditor—a position he held for two years. Mr. Fairfield next moved to a farm in San José township, where he was elected County Assessor, and once more took up his residence in San José. He is the present Assessor of Santa Clara county. Married, in San Francisco, Elizabeth McQuillan, a native of Massachusetts, and has two children: Alice, and Mary.

Levi Goodrich. Born in New York City, January 1, 1822. The subject of this narrative is in his sixtieth year. In his youthful days he acquired the trade of carpenter and builder in Massachusetts, but after went to New York and entered upon the study of architecture, in the office of R. G. Hatfield; he following this profession—which was also that of his father—in that city until he left for California. On March 8, 1849, Mr. Goodrich sailed from New York in the ship *Loochoo*, via Cape Horn, and cast anchor in the Bay of San Francisco, September 16th of the same year. No sooner had he arrived than his acquirements were called into requisition; indeed, he had not left the vessel when he drew the plans and specifications for a three-story wooden building, that was put up at what is now the corner of Kearny and Washington streets, where the old Hall of Records stands, tents being torn down to make way for it. November 30, 1849, he came to San

José, Santa Clara county, in a small sailing craft, to Alviso, a voyage occupying three days and two nights; thence on foot to San José. He was soon at work, however, and early in 1850 erected the adobe building which stood on the ground now occupied by the store of O'Banion & Kent, opposite the Auzerais House, the clay for the adobe being taken from the lot on which stands the hotel, while, ever since, he has been in business there. Among his principal architectural achievements in San José have been the Court House and jail, the Presbyterian church, three public school-houses, the Bank of San José, the State Normal School, and the Knox and Martin's Blocks. Mr. Goodrich is also the architect of the Court Houses and jails of Monterey and San Diego counties. He has twice visited Europe for the purpose of pleasure, while, in his labors, he is seconded by his only son, E. B. Goodrich, his principal assistant. Mr. Goodrich's office is room 20, Knox Block.

G. W. Hellyer. Born in Green county, Ohio, April 21, 1862, where he was educated and trained to agricultural pursuits. After having resided in different parts of Missouri he came to California, and arrived at Placerville, August 27, 1850. He was employed in different ways at the mines until June 1853, when he settled in Santa Clara county on the place now owned by A. Senter. In 1856 he came to the place where he now resides. Married, May 22, 1853, and has a family: Mary J., Manuel R., George T., Nancy J., Catharine, and James D.

Honorable Sherman Otis Houghton. The subject of this narrative, was born in the city of New York, April 10, 1828, where he was educated and grounded in that learning which, in after life, has stood him in such good stead. When but eighteen years of age, and while yet at school, he enlisted in Company A, First New York Volunteer Infantry, the first regiment raised in the State of New York for service in the Mexican war, and with it rounded Cape Horn, arriving in San Francisco March 26, 1847. A part of the regiment of which his company was one here received orders to proceed to Santa Barbara, where they remained only a short time, then proceeded to the seat of war, under Lieutenant-Colonel Henry S. Burton, the force numbering one hundred and five men, all told. On arrival in Mexico their first station was on a pleasant plateau, overlooking the town of La Plaz, where they occupied a church and four adobe buildings. To oust them from this position of vantage was the imperative duty of the opposing soldiery, therefore, to effect this, they were surrounded not long after by a force of twelve hundred Mexicans, who made the demonstration from a camp distant about two miles. Thereupon, our little band threw up earth-works, fortified themselves as best they could, and for some weeks carried on a series

of sorties, made, for the most part, under cover of night, while they successfully repelled counter attacks, forced the enemy to remove his camp about six miles distant, and triumphantly held their own until relief arrived in the shape of sailors and marines from the United States ship *Cyane*, under command of Commodore Dupont. The little army was not long after further augmented by the arrival of Company D of the regiment, and other troops from the States, under Captain H. M. Naglee (now of San José), to the number of one hundred and fifty. Now they were in a position to assume the offensive, they consequently marched against the foe, captured their commander, with several of his officers, and drove them from their position. Let us here revert to Mr. Houghton, more especially. We have remarked that he entered the service in its lowest rank; from that he rose, step by step, to the position of Sergeant-Major until, on a certain occasion, he was called upon by the Colonel commanding to assume the charge of a dress parade, and directed to read "Orders, One and Two." The first promoted him to be Lieutenant; the second appointed him Adjutant of the command. Ponder well oh reader, on the delicacy which prompted the surprise, and the wonder of the recipient of such great favor! These positions he held until mustered out of the service. In September, 1848, he sailed from Mexico for California in the United States ship-of-the-line *Ohio*, commanded by Commodore Thomas Ap Catesby Jones, and arrived at Monterey in the following month. Here Mr. Houghton, with six of his brother officers, formed themselves into a company, purchased provisions from the Quartermaster's store, bought several yoke of oxen, with two wooden-wheeled carts, of Mexican build, already described, and started for the mines, first locating at Jamestown, Tuolumne county, then known as Wood's creek, where they erected a log cabin, about a mile from the present town site, and commenced digging on the ground where the county seat, Sonora, now stands. *Fortuna favet fortibus*—the military were successful. The bonds cemented by association for gold hunting were not of a very durable character at this time; early in the career of the company now under consideration there was disaffection, and two of the members seceded; in the following Spring, the remaining four parted issues, while the subject of our sketch came to the San José valley, the date being March, 1849, purchased oxen and wagons, proceeded to Stockton, and established a trading-post at Sullivan's Creek, combining therewith a "pack-train" between that point and the camps of Jamestown and Sonora. He continued in this pursuit until October, 1849, when, investing his entire means in a stock of goods, he departed for the mountains to select a spot whereon to carry on his business operations during the Winter months. This satisfactorily arranged, he returned to Stockton to superintend the transfer of his stock in trade, but that very day the rains descended, the trails were rendered unfit for traffic, it was impossible to transport his

merchandise, he was therefore forced to sacrifice his entire invoice; he was almost down to bed-rock, and twenty-five hundred dollars was his all. With this comparatively insignificant capital Mr. Houghton returned to San José, where he arrived November 28, 1849. Here he found an old acquaintance, Mr. Peasley, who had but then arrived from the southern part of the State with a drove of cattle and sheep, intended for sale at the mines, but such was the desperate state of the weather he could not proceed; besides, Mr. Peasley was out of funds, he therefore induced Mr. Houghton to invest his small capital in the enterprise, and with him move to the mountains on the cessation of the rains. This Winter, it will be remembered, was that when the first Legislature convened at San José, and doubtless it will be borne in mind how rapid was the growth of the town, how great the influx of people, and how scarce and consequently high the price of provisions. It is an ill wind that blows nobody good, says the old proverb; in this instance it worked to a charm for the new firm of Houghton & Peasley. They found a ready market for their entire stock of beef and mutton; they purchased more, and again sold, for the Legislature of a thousand drinks had to be fed as well as toasted, and the partnership was on the high road to success. Now it was bruited about that the State was without cash, the medium of circulation was scrip, and our hero found that his possessions—his little capital, his oxen and his sheep—had merged into State Bonds. The natives very naturally refused to take paper for cattle, so the business was abandoned. His debts became due, and his creditors clamorous. He therefore was compelled to part with his scrip at a price much below par value, and once more had fortune evaded him, and left him but little in the private exchequer. In the Summer and Fall of 1852 Mr. Houghton assisted in taking the census of Santa Clara county, in accordance with a provision of the State law; in 1853 was appointed Deputy County Recorder; that Fall he was nominated by the Democratic party for Sheriff, but suffered defeat at the hands of William McCutchen—majority, one hundred and thirteen votes; in the Fall of 1855 was again nominated for the office of Sheriff, but was defeated by ninety-five votes, the successful candidate being Philip T. McCabe, the Know-Nothing candidate; in 1854, he was elected one of the Common Council of the city of San José and chosen its President; in 1855 was elected to the Mayoralty, retaining the Civic chair during 1855-6, was elected a member of the Forty-second Congress, in 1871, by the Republican party, defeating the Democratic candidate, Lawrence Archer; re-elected in 1872, by the same party, to the Forty-third Congress, defeating E. J. C. Kewen; and, in 1875, was unsuccessful for the Forty-fourth Congress, against P. D. Wiggington, the Democratic candidate, John S. Thompson being candidate on the Independent ticket. In the year 1854 Mr. Houghton essayed farming on the Milpitas Ranch, which he discontinued, however, in 1856.

From the year 1852 till 1856, Mr. Houghton, had, during his leisure moments, earnestly read and studied law, and during the latter year, entered the law office of W. T. Wallace and C. T. Ryland. In 1860 Mr. Ryland withdrew from the connection, when Mr. Houghton formed a partnership with Judge Wallace, which continued until the latter's removal to San Francisco, in 1864. For the last four and twenty years, therefore, has Mr. Houghton been in practice in San José, during which he has had a vast experience in all matters appertaining to the country, but more especially has he been engaged in unraveling the mysteries of Spanish claims, for which his thorough knowledge of the language makes him eminently fitted. Mr. Houghton married Mary M. Donner, August 23, 1859, who died on the 21st of June following, leaving one child, Mary M., who was born June 7, 1860, and who still survives. Mr. Houghton married, October 10, 1861, Eliza P. Donner, the youngest and third daughter of George Tamsen Donner, who was born March 8, 1843. She left Springfield, Sangamon county, Illinois, with her parents, early in the year 1846, and is one of the survivors of the company whose melancholy fate, as the "Donner party," has become a page in California's history. Arriving at Sutter's Fort in April, 1847, accompanied by her two sisters, Francis and Georgia, they met two elder half-sisters, who had preceded them by a few days. The father and mother of these little ones died at Donner Lake, but the fate of the latter was not communicated to the children until after their arrival at the fort. It can readily be imagined how deep was their grief, and how hard to realize was their loss, only those who have been in a like manner tried, can fully picture their heart-broken sorrow. On their loss becoming known to a kindly Swiss couple named Christian and Mary Brunner, their sympathies were enlisted in behalf of the orphans, one of them being Eliza, the lady of whom we write. Mrs. Brunner, worthy woman, brought the children such luxuries as bread, butter, eggs, and cheese, qualifying her offering with the amiable remark, "These are for the little girls who called me grandma; but don't give them too much at a time." These luxuries were never given to the children, the good old lady found out a few days later, she therefore determined to take the more delicate of the two to her house, where she trusted that, by kind treatment and zealous attention, she would gain strength, when the other would have a like opportunity. Under Mrs. Brunner's hospitable roof Georgia soon commenced to pick up, while Eliza waited, ardently longing for her turn to come. On the return of her sister, the stories told of Mrs. Brunner's kindness, of the many enchantments around and in her dwelling, made the little sister still more anxious for her visit. The long-looked-for day at length came, and what a week of delight ensued, made all the more enjoyable by contrast with former privations. All delights are but transient, however; inevitable fate brought this week of

rapture to an end. One day, Grandma, all dressed for a walk to the fort, sought the little girl, who was busy at play, and said, "Come, Eliza, I hear that Georgia is sick, and I am going to take you back, and bring her in your place." A shadow was for a moment cast over the little countenance, then brightening up with quick intelligence, she lifted her large, dark eyes, and anxiously asked, "Grandma, can't you keep both of us?" This simple query provided a home for both of them, until a guardian was appointed in the person of Hiram Miller, when the sisters were again separated, Francis going with Mrs. Reed's family, Georgia with grandpa, who was about to remove to Sonoma, and Eliza (Mrs. Houghton) to her eldest sister, who was now married and settled on the Cosumnes river. Here she remained until Winter. At this time, hearing that the Brunners and Georgia were anxious for her return to them, the sister consented, and placed her in charge of two families who were transferring their dwelling to Sonoma. This journey was not without its wonders, but the incident which most impressed the child-mind occurred on the banks of the Sonoma river. She had been told that there she would be met by Jacob Brunner, who would take her home to grandma's, but judge of the heart-rending disappointment when it was found that the stream had become a raging torrent and was unfordable. As for Jacob, for days he seeks the swollen stream and shouts words of loving encouragement to the little bairn on the opposite bank. Daily do these cheering sounds come, but there arrives not the opportunity to get nearer. At last the fruition of her youthful desire is to be realized. An Indian, for a silver dollar agrees to carry her across to Jacob, who remains in anxious expectation. The pony is led to the bank, and walked into the torrent, the Indian on its back, and the little five-year-old Eliza clutching nervously his stalwart frame. He presses her feeble arms to his side to make her more secure, gives caution and warning against letting go, the water creeps higher and higher until it reaches her waist, the pony is lifted off his feet, and by the vigorous hand of the aboriginal guided to the shore. She finds herself in the presence of the kind Jacob, who pays the Indian his well-earned fee, then, clasping the infant to his arms, he mounts his horse, and, joy above joy, at last places her under the hospitable roof of grandma, and upon the beating heart of her sister. At the end of seven years the children left Mr. and Mrs. Brunner's, and went to live with their eldest sister, Elitha, who had come to reside in Sacramento. Here Eliza went to school, attending in turn the places of learning in that city, and one year at St. Catherine's Academy, at Benicia. Mr. and Mrs. Houghton's children are: Eliza P., born August 23, 1863; Sherman O., born May 16, 1865; Clara H., born April 1, 1867; Charles D., born November 5, 1868; Francis J., born March 1, 1870; Stanley W., born January 15, 1872; Herbert S., born July 26, 1876, died March 18, 1878.

William J. Knox, M. D (*Deceased*). The subject of this sketch, whose portrait will be found in these pages, was born near Hopkinsville, Christian county, Kentucky, October 20, 1820, moving with his parents at an early age to Lincoln county, Missouri. Here he received his primary education in the neighborhood schools, and when about twenty years old attended the academy in Troy and subsequently commenced and completed the study of medicine with Dr. Henry Brandt, a distinguished German physician of Warren county, Missouri, after which he attended the Medical College at Louisville, Kentucky, during the Winter of 1845-6. He now returned to his home in Missouri, and on April 1, 1846, espoused Sarah Louisa Browning. Settling at New Hope, Lincoln county, Missouri, Dr. Knox entered upon the practice of his profession, but in the following Fall, he returned to his College, and received his diploma in the Spring of 1847. Going back to New Hope he practiced there for two years when he moved to Troy, in the same county, and entered into partnership with Dr. Hiram K. Jones. On April 12, 1850, Dr. Knox and his wife bade adieu to Troy with its many associations and with a party of about twenty, Mrs. Knox and her sister being the only ladies, commenced the weary journey with teams across the almost endless plains to California. Arriving in Nevada City on the 8th October of that year, they made it their home, the doctor practicing there until the Winter of 1854, when he was elected to the Lower House of the State Legislature. In the Spring of 1855, along with his wife and only daughter, our subject paid a visit to the Eastern States, but returned in the following December, at which time he entered into partnership with Dr. Overton, an association which lasted only a short time. Dr. Knox became, previous to this, one of the projectors and proprietors of the South Yuba Canal Company, one of the most magnificent enterprises that was ever consummated in California. Once more, in July, 1860, he and family visited their friends at the East, coming back in October, 1861. In December, 1862, he left Nevada City, and after a short stay in San Francisco, in the Spring of 1863 took up his residence in Oakland, but moved from there in November and made his habitation in San José, where, in company with his brother-in-law, T. Ellard Beans, he established the first bank in that city. In the Fall of 1865 he was elected to the State Senate, and, February 1, 1866, introduced a bill having for its object the taxation of all property not owned by the State or county, a scheme which was met with the most strenuous opposition from such bodies as churches, etc., but which was subsequently adopted, almost *verbatim* as drafted by him, but too late for the worthy Senator, Dr. Knox, to see the fruits of his labor. On the 22d February of the same year he introduced Senate Bill No. 252., which was passed, and reads: "Any married woman may dispose of all her estate by will, absolutely, without the consent of her husband, either express or implied, and

may alter or revoke the same in like manner as a person under no disability may do; her said will to be attested, witnessed, and proven, in like manner as all other wills," for which the women of California should ever hold him in grateful remembrance. He had served but one Winter in the Senate, his legislative duties but half completed, when he died at the Lick House in San Francisco, November 13, 1867. To this pioneer and prominent citizen no higher tribute can be paid by us than by using the words of the then Senator from Nevada, Judge David Belden, on the assembling of the Senate in the Winter of 1867. The present Superior Judge of Santa Clara county then said: "The Honorable Senator was a native of Kentucky, but was for many years a resident of Missouri; he came to the State of California in 1850, and settled in the city and county of Nevada, engaging successfully in the practice of his profession as a physician. He remained there, and successful not only in that, took also a prominent part in the other enterprises of the day and of the vicinity, early assuming a very high position and very excellent reputation with the people and citizens of that county. His name is identified there to-day with many of the most important industrial enterprises of the section, and some engineering works which his capital assisted to complete, with which his enterprise was directly connected, stands there amongst the foremost of their kind in this enterprising State. In 1862 he removed from the county of Nevada, and, in 1863, to the county of Santa Clara, and immediately assumed there the same high positions which the universal verdict of the people of Nevada county had assigned him in the mountains. I may say in this connection that he connected himself in the same extensive manner with the public enterprises of his new home, taking rank as one of its most energetic and useful citizens. In 1865 he was elected to this body as a Senator from that district, and I may say here that, taking his seat in this body with impaired health, the disease, that ultimately proved fatal, preying upon his vitals, his position here was in the highest degree honorable to himself and to his immediate constituents. Unpractised in public discussion he rarely occupied the attention of this house by a formal speech, but what he did say, and his votes, were always upon the right side. He rarely, or never, erred in his judgment, either of men or measures, and to-day the record of his votes, as they appear upon the journals of this house, contain not one line that his friends could wish were otherwise, and that would not, as a monument, serve as his best eulogium. This, sir, in brief, was the character of our late associate. It may, indeed, be well said, that his actions in connection with two important sections of this State will rest as the best eulogium that can be pronounced to his memory. I will say, Mr. President, in offering these resolutions of respect, that it is well that we, as Senators, can here meet upon one common ground, where political asperities are at an end;

where, for a time, we can forget that we are partisans in any sense of the word, but hold ourselves, and each other, bound by that higher band of association which here unites us with the departed, to whose memory we combine in paying this simple tribute. I offer, therefore, as expressing the sense of the Senate and our bereavement the resolutions which are in the hands of the Secretary." These were: *Resolved*, That in the death of the Hon. William J. Knox, late a member of this body from the Seventh Senatorial District, the State of California loses an enterprising and useful citizen, and this Senate an able and efficient member. *Resolved*, That we deeply sympathize with the afflicted family of the deceased in their bereavement, and convey to them our assurances of respect and esteem for the memory of our departed associate. *Resolved*, That in respect to his memory this body do now adjourn."

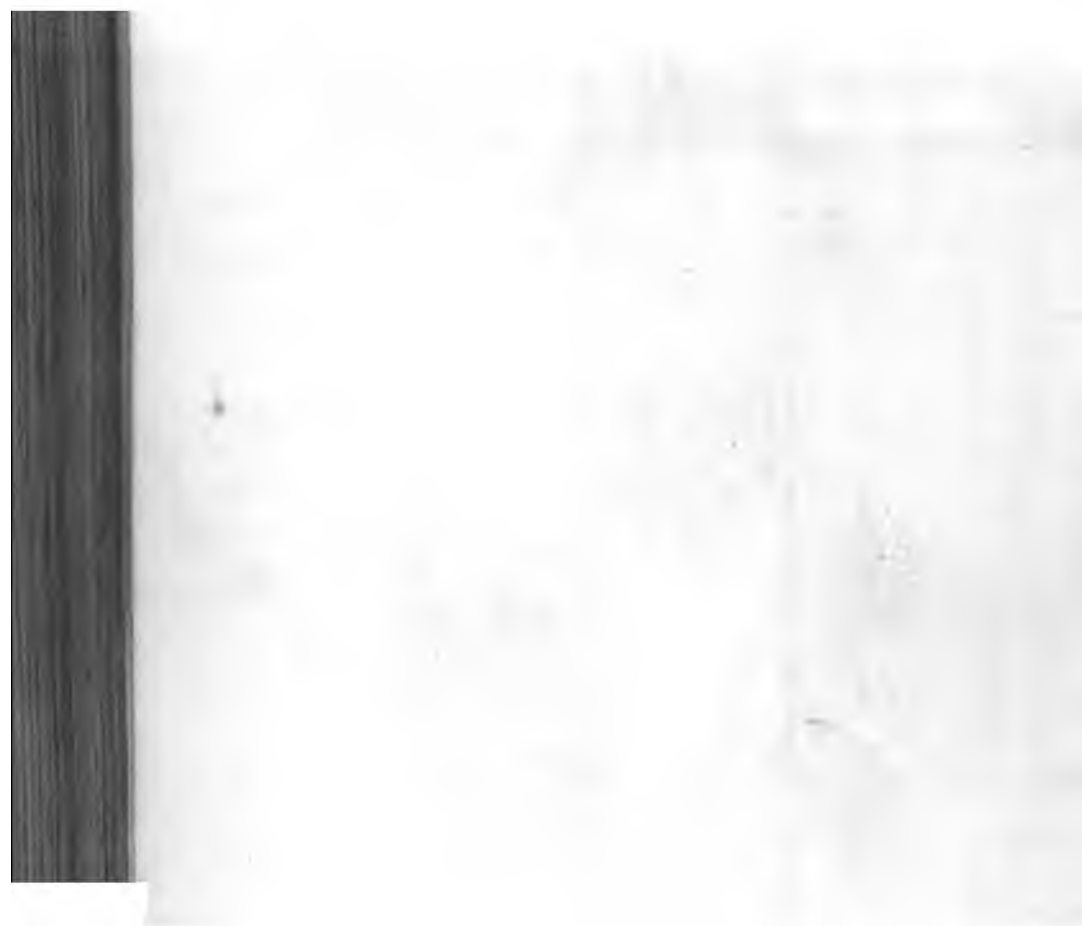
Sarah L. Knox-Goodrich. Widow of the above-named Senator, Doctor William J. Knox, and now the wife of one of our earliest pioneers, and most successful architects, Levi Goodrich, the second daughter of William Winston and Sarah Smith Farrow Browning, was born in Rappahannock county, Virginia, February 14, 1825. Her grandfather Browning, and her uncle, Charles Browning, both served with distinction in the Revolutionary war, one being a Captain and the other a Lieutenant, they were in most of the great battles fought in Maryland and Virginia, down to the battle of Yorktown and the surrender of Cornwallis. Her father, William Winston Browning, also served his country in the war of 1812, he being only eighteen years old at the time; was a private in Captain George Love's company of Virginia Militia; was stationed for some time on the James river below Richmond; served until the close of the war, when he received an honorable discharge. He received a bounty warrant for one hundred and sixty acres of land in 1852 for his services. In 1878, fourteen years after his death, a bill was passed, giving the widows of the soldiers of 1812, pensions. Mrs. Knox applied for the pension for her mother, who is still living, and after a long, tiresome, and almost hopeless effort (her father's papers having been lost during the Rebellion) succeeded in procuring sufficient evidence to secure her mother the pension, which she now receives. It was more a matter of principle with Mrs. Knox, than the amount of the pension; as she is well able, and has taken care of her mother, who has been with her for the last twelve years, a confirmed and at present helpless invalid, now in her eightieth year. Mrs. Knox-Goodrich, although but eleven years of age when her parents removed to Missouri, had received a very fair education in her native State, having attended the best of country schools some four or five years. She, however, again attended school in St. Charles county, Missouri, where they took up their residence for about one and a half years, when her father

purchased a farm in the adjoining county, Lincoln, situated about four miles from Troy, the county seat, where he removed with his family and continued to reside for many years. There the subject of this sketch grew to womanhood, was married and left the home of her childhood to enter upon and share the duties, pleasures, and cares of another home, which, at an early day, she and her husband, Doctor Knox, decided to make in California. After nearly twenty-two years of married life she was left a widow with her only child, Virginia Knox, who in August, 1869, was married to Cabel H. Maddox formerly of Kentucky. Mrs. Knox remained a widow until January 15, 1879, when she was again united in marriage to Levi Goodrich, above mentioned. As a lady whose fame is not confined to California alone, but whose name is known throughout the United States, we deem it a privilege to be permitted to present her portrait in this volume.

Early in life Mrs. Knox-Goodrich espoused the cause of her own sex, contending that taxing their property and using the proceeds, without giving them a voice as to its disposal, was unjust, unmanly, and diametrically opposed to the principles of the American people, as fought for by our ancestors. It is her conviction, a judgment arrived at after the most mature consideration, that woman is as well endowed with the necessary qualifications to use the right of franchise, as are the men; that they are the pioneer mothers of a common country, who have suffered the hardships and privations of a frontier life; that they have assisted materially to transform the howling wilderness into a garden of beauty; and that they have (or should have) the same right, to say the least, as the ignorant male negro (fellow-citizens) of the south, the Chinamen, either born or naturalized, both of which there are specimen voters at present; or the alien, who, only a short five years before, planted his foot for the first time on American soil. Mrs. Knox-Goodrich will be remembered as the lady who, in 1874, went up to the Legislature, with her friends, Mrs. Laura J. Watkins and Miss Sallie R. Hart, and by their energy and fairness in stating the many advantages to be derived from the passage of the bill giving women the right to hold educational offices in the State of California, succeeded in getting the bill passed, notwithstanding the opposition of those representing the county; only one, Mr. Thomas Key, of Gilroy, being in sympathy with the ladies, and voting for the bill. In 1869, this lady assisted to organize the first "Woman Suffrage Association" in San José, of which she is at present an active member. The "National Woman's Suffrage Association," as well as the "American," the "California State Association," and "Woman's Congress," claiming her among their members. She is a member of the Santa Clara County Pioneer Association, a life member of the San José Library, the Law Library, and the Santa Clara Agricultural Societies. She was for several years a Trustee in the San José Library and contributed liberally to its support. She also



L. H. Worthington



served, for about thirteen years, as one of the Trustees in the Unity Society, that was organized in San José, by the Rev. Charles G. Ames; finally she is a large real estate owner, and a stockholder in the Bank of San José. Mrs. Knox-Goodrich, a lady of refinement, holding advanced ideas, is much respected by all who know her, not only for her many excellent personal qualities, but as one of the pioneer mothers of California, claiming for her motto: Equal rights and Justice to all.

L. Krumb. Was born in Germany, January 15, 1836, where he was educated. In the year 1853, he landed in New York City, and, after traveling in the Eastern and Western States, came to California, *via* Panama, arriving in San Francisco, July 23, 1854. While in Germany, Mr. Krumb learned the trades of brewer and cooper, therefore, shortly after his arrival in the Bay City, he was placed in charge of the LaFayette Brewery. It was not long, however, before he went to assume control of the Franklin Brewery, in Sacramento City, where he removed until the Spring of 1855; he then moved to Alameda, Alameda county, and purchased the Oakland Brewery, moving the same to the above place, under the name of the Alameda Brewery, the first established in that town and second in the county, and carried on the business there. In company with Philip Dorr, he erected a brewery in Santa Clara, in 1856, but selling his interest that year, he removed the Alameda Brewery to San José, located it on Market street, but in 1860, moved it to the site now occupied by Walteufel's Book Store, at the corner of First street and Fountain alley. In 1864 he disposed of the establishment to Adam Holloway, and the same year opened his present brewery, at 377 and 379 Second street, a history of which premises will be found elsewhere in this work. Mr. Krumb has served as an Alderman in the City Council of the city of San José, while, in the year 1876 he was a candidate for the office of County Clerk. Married, August 8, 1857, Wilhelmina Schultz, a native of Germany, by whom he has: Augusta, born October 18, 1859; Justice, born November 19, 1861; Frederick, born November 17, 1865.

Horace Little. Whose portrait appears in this work, is a native of Cayuga county, New York, and is the youngest son of Asa and Esther Little, and was born October 28, 1828. In 1836 his parents emigrated to Hillsdale county, Michigan, where his father, Asa Little, engaged in farming up to the time of his death, which occurred in 1842, when the subject of our memoir was only fourteen years of age. At this early age in life he was employed as clerk, and continued this occupation until he determined to visit the Golden State. On December 22, 1852, he took passage on the steamer *Illinois* from New York City, and on this side was a passenger on the *Tennessee*, which was wrecked on her next voyage. Mr. Little arrived

in San Francisco January 20, 1853, and the first of February following found him in Georgetown, El Dorado county, where he engaged in mining for two months, then found his way to this county. At the time he landed in the State his capital consisted of two dollars and fifty cents. Upon his arrival in the county he was employed by Albert Dexter, who at that time owned a tract of land near Laurence Station, as a farm laborer. Here he labored for one year, then returned to the mines; this time he was searching for the glittering metal in Amador county. In the Spring of 1855 he returned to this county, and in company with Henry Ringstorff was engaged in threshing. In 1856 he commenced farming on a piece of land just east of San José, near Amos White's, and the following Winter bought a squatter's title of Robert Thomson, and there remained until the Fall of 1863 when he purchased an interest in a four-hundred-acre tract located on the Monterey road, some eight miles south of San José. He also owns a good stock ranch in San Felipe, located on a creek bearing the above name, where he intends to have some fine carp ponds fitted up at no distant day. Mr. Little has been and is one of the directors of the Farmers' Union ever since its organization. He is a man that is honored and respected by all who know him best. He was united in marriage to Mrs. Lovina Fisk, a native of Canada, on December 19, 1876.

H. Messing. Born in Cassel, Prussia, April 4, 1824. He remained in his native land until he sailed for California, on August 5, 1849, and arrived in San Francisco, April 8, 1850. After visiting and working in the mines at Sonora and vicinity, he returned to San Francisco, in ill-health, and came to San José, in July, 1850, and farmed for two years. He then removed to Santa Clara, and in company with Messrs. Frank and Glein, conducted the tannery now owned by Jacob Eberhard. Here he remained seven years, and then came back to San José, purchased the harness business of Roman Don, located on Market street, and there carried on business, until 1866, when, in company with some others, he purchased the portion of a block of land on First street, and on it erected a brick building, No. 378, which he is occupying at present. He married, June 19, 1849, Mary Glein, a native of Germany, by whom he has: Rudolph, born November 30, 1851; John, born September 7, 1853; Dore, born March 1, 1855; Louis, born December 14, 1856; Anna, born October 26, 1858; Frederick, born June 1, 1864; Adolph, born October 27, 1866.

R. F. Peckham. This worthy pioneer, in very truth, whose portrait appears in this work, was born in Charleston, Rhode Island, January 30, 1827, and is the eldest of a family of nine, all of whom have since become residents of California. His early education was confined to the stray leaves of knowledge

that he could cull, during a session at the country schools, of but three months in the year. Happily for him he had a taste for books, which developed into his quickly becoming a proficient in learning, coupled with a decided inclination for mechanics and a love of the sea. At the age of ten, he was possessed of a retentive memory, marvelous in one so young; at twelve he had mastered that bug-bear to every youth—the multiplication table, and three months after had made himself acquainted with the rules and problems in Dabott's Arithmetic, in the following Winter garnering the treasures of Columbus' Algebra, and the mathematical portion of surveying and navigation. At fourteen years of age, he started life on his own account, and has ever since been dependent on his own resources. The next Summer he worked on the farm of one Oliver Davis, for six dollars a month, on a contract of seven months, where he was far from happy. At the age of sixteen, he went before the Examining Board, stood a successful scrutiny, and was granted a certificate, authorizing him to teach any public school in his county. The following Winter he taught the school in the district where he had been reared, and in the same house where he had received his education. He now had some opportunity for gratifying his taste for machinery. From his earliest childhood he passed most of his leisure time in the Woolen Mills, Cotton Mills, and other manufactories in the neighborhood, which have since developed and placed him at the head of one of the leading looms of the State. Early in his seventeenth year, he entered into an agreement with a Baptist preacher, to learn the carpenter's trade, but after two months, finding that mixing mortar and carrying a hod were not the most rapid methods of acquiring the art, obtained a release from his compact, and entered a wood-working establishment, at Westerly, Rhode Island, where he continued until he was thrown out of employment by having his left hand caught in a circular saw, in the following Winter. Before he was able to return to work, in obedience to his natural taste for the sea, he resolved to cast his destiny in the business of whaling. A sailor's life had a charm for him; there was wealth in the whaling grounds. A young man, if he proved himself a good whaleman and stuck to his craft, could reasonably hope to command a ship after three or four voyages, and to hold such a position for two or three cruises was to achieve riches. He shipped before the mast, on May 30, 1845, on board the ship *Cabinet*, John Bottom, Master, and sailed from Stonington, Connecticut, on what was to be a two, and, perhaps, a three years' cruise around the Cape of Good Hope, about the Indian Ocean, and New Zealand, into the North Pacific, and home around Cape Horn, thus completing the circumnavigation of the globe—a no mean feat for a youth in those days. It will be impossible for us, for want of space, to follow Judge Peckham in his early adventures on board the *Cabinet*, how he nearly suffered shipwreck at the Azores, fished for crawfish at Tristan d'Acunha, had his first conflict

with a whale in the Indian Ocean, encountered a cyclone on the voyage to Van Dieman's Land (now Tasmania), and became mystified by the gain on time. Let us recount this curious event. They left Hobart Town in the latter part of December, and January 16, 1846, crossed the meridian one hundred and eighty degrees either east or west of Greenwich. On that day, which was a Sunday, observations were taken, when they found by actual count that they had the benefit of two Sabbaths—beyond saying how they had stolen a march on old Father Time, the Judge is silent. After sailing about here, there and everywhere, the subject of our sketch got his first glimpse of the California coast, August 29, 1846. Standing down its seaboard, the *Cabinet* sighted a ship at anchor in shore, and sending a boat off found her to be the *Brooklyn*, of New York, lying at Bodega (now in Sonoma county), loading lumber for the Sandwich Islands, but who had brought a company of Mormon immigrants from New York to Yerba Buena (now San Francisco). From her the first news of the Mexican war, and the occupation of California by United States troops, was received. The next day, August 30th, the *Cabinet* anchored at Saucelito (now in Marin county). Of this place the Judge says: "the anchorage was abreast a little valley formed by spurs of the mountain shooting down to the bay, in which valley was a spring of good water, the principal attraction for sea-going vessels." The Judge further remarks that the spring was afterwards, at an early day (that is of contemporaneous history), used as a water supply for San Francisco, whence it was taken in an old steamer, converted into a water-boat, but which metaphorically sank on the completion of the Bensley and other companies. The *Cabinet* lay at Saucelito for a week, taking in water from the spring, wood from Angel Island, with fresh beef and the only vegetables the country afforded, which were chiefly potatoes of the size of a hickory nut, red beans, Indian corn, wheat, pumpkins or water-melons, and these in small quantities. The ship having taken on board her complement of wood and water, a boat was dispatched across the bay to Yerba Buena, which landed on the beach at what is now the corner of Sansome and Jackson streets. Peckham, who was one of the crew, without stopping to bid adieu to his ship-mates, abruptly took "French leave," got into the sand hills and brush, and never saw the *Cabinet* or her boat again. The Judge's outfit, when he bade farewell to that life which had so captivated him in his inexperienced youth, was one pair of old satinets unmentionables, prominently patched with cotton canvas; a red flannel shirt decidedly the worse for wear; an old Guernsey frock; a Scotch bonnet not too new; a pair of boots that had seen better days; and a commissariat consisting of four sea biscuit, popularly admitted as better fitted to sharpen the teeth than appease the appetite. At first he had no intention of proceeding into the interior, but simply thought to keep out of the way until the *Cabinet* had left, and then seek employment

in the town. On the fourth day of his concealment, exhausted nature demanded nourishment, water was his chief want, he therefore wandered south, hoping to get out of the scrub-oaks, and see some habitation or person who could at any rate give him information as to if his vessel had put to sea. Late in the afternoon he came out on the Mission creek, above where the Mission Woolen Mills now stand. The stream was navigable far above that point, and there he found a small undecked schooner in charge of two men who spoke English, and who proved to be Mormons that had come out in the ship *Brooklyn*. One was named Austin, the other Q. L. Sparks, now a lawyer of San Bernardino. They were men having families and lived at the Mission Dolores, in the old mission buildings, in which were quartered several Mormons. In answer to their questions, Peckham told them the whole truth; in return they promised friendship; they had plenty of fresh beef and sea biscuit; a fire was made, the beef cut into slices, strung together on a stick, held before the fire until cooked, and here the Judge ate his first "square meal" in California. At dusk Sparks took him to his house, gave him a place to sleep, and on the following morning betook himself to Yerba Buena, to ascertain if the ship had taken her departure, reporting on his return, her still being anchored in the harbor. Sparks then told Peckham that he could stay with him as long as he desired; that he should have a place to sleep and such as he had to eat; and said he: "We are Mormons; we have some bad people among us, but average as well as anybody; but, by having bad men among the Mormons, they, by their acts, have brought the whole Mormon people into trouble and disgrace. We are despised and persecuted because we are Mormons; but we have as much of the milk of human kindness, and know how to practice Christian charity as well as anybody." From thirty years' subsequent experience and knowledge of Mormon character, the Judge, putting no faith in any of their religious theories, believes, and openly maintains, the remarks made by his friend Sparks to be strictly true. Sparks is a man of over average intelligence, a good talker, was raised in Connecticut, had been a schoolmaster, and was then a preacher in the Mormon church. But to return to Judge Peckham. He accepted the situation and remained with Sparks for about ten days during which each learned to respect the other as they both were Yankees and had both been preceptors. But the *Cabinet* appeared determined not to budge, our hero therefore, one fine morning, said farewell to his newly-found friends and started on foot towards San José. The road at that epoch was a horse-trail and passed around the base of San Bruno mountain by the bay. At the crossing of Islas creek he met a native Californian to whom he sold his boots, and made the rest of the journey bare-footed. The Judge remarks that walking upon the clover-burrs and prickly grass proved anything but interesting. His first night he passed at the Sanchez

Ranch (now Milbrae, in San Mateo county), where he found no one with whom to converse, but discovered hanging in the cook-house a bounteous supply of fresh beef, some of which he cut, cooked and ate. He slept on the earthen floor, near the fire, without covering, turning first one side and then the other to the blaze to keep warm. The following day brought him to the ranch of John Coppinger, then known as the Pulgas Redwoods, now called the Valley of San Raymundo. Here he found eight or ten English-speaking people, most of them old runaway sailors, who were engaged in sawing lumber for the markets at Yerba Buena and Pueblo de San José. At this place he remained a few days, when the arrival of a schooner at Embarcadero (now called Ravenswood) from Yerba Buena, for a cargo of lumber, was reported. The next morning he proceeded to the craft to seek intelligence of his own ship. He found the drogher in an estuary about two miles from the bay, lying by the bank, the water being deep enough at high tide to float her and her cargo, but, at low tide, the muddy bottom was bare. She was commanded by an Italian, who had for his mate a red-whiskered, sandy-complexioned man named Davis, and another individual for his crew. Peckham told them his story, and was assured that the *Cabinet* had sailed; he then sought permission to attach himself to the schooner and work his passage back to Yerba Buena, which was granted. We will now relate the first of the Judge's numerous, Californian experiences: They were engaged in loading the vessel about the middle of the afternoon, the tide being out and the bottom of the estuary bare of water, the schooner lying easily, her keel embedded in the mud, when a native Californian came down on horseback, dismounted, took his *riata* (a long, braided rawhide rope with a running noose, used in lassoing wild horses and cattle), placed the loop around the horse's neck, tied the other end to the rigging of the vessel, and, with the Captain, went down into the cabin. It was the first opportunity Peckham had had of examining closely a Californian saddle and bridle and they immediately attracted his attention. Having scrutinized both very attentively, and patted the horse which appeared to be very gentle, the notion suddenly seized him that he would like to test the comfort of the seat. Without untying the animal, he placed his foot into the stirrup and sprang in, but no sooner had he reached his goal than the horse starting at a gallop, quickly attained the end of the *riata*, and then commenced to retreat by a series of backward jumps which carried him off the bank where he was mired down half buried in the mud and incapable of further exertion. The rider struck feet down and went half his length in the mud, about ten feet from the horse; he extricated himself but the horse had to be aided. The owner, hearing the rumpus, rushed on deck, and, taking in the position at a glance, delivered himself of a very lengthy and eloquent address in Spanish, the only portion of which now recollected by the Judge is the word "car-rah-ho." As night

arrived the schooner was loaded, and a start made for Yerba Buena, but when off San Mateo she was found to be sinking, and finally run ashore in a cove on the east side of San Bruno mountain. On this voyage the mate, Davis, spoke freely and unreservedly of his former exploits as a pirate on the Mississippi, and of the crimes committed by himself and the gang with which he was there connected. He afterwards became a noted highwayman and desperado in California, under the name of "Red Davis," and was, about the year 1852, captured and hanged by the people in the city of Stockton. Peckham now returned to his old friends and quarters, and learned that the *Cabinet* had *not* sailed but that the story told him on the schooner had been done for the purpose of getting him to Yerba Buena in the hope of securing a reward for his delivery on board. After staying a few days at the Mission Dolores, the Judge returned to the Pulgas Redwoods, where shortly after encountering Dennis and Jackson Bennett he accompanied them to their home at the Santa Clara Mission, where also dwelt their mother, an estimable lady, who afterwards became the wife of Captain Harry Lane, the capturer of the celebrated bandit Joaquin Murietta. For this woman Peckham performed his first day's work for wages in California, washing wheat in the little lake by the Cook place, near the present town of Santa Clara. He was bare-footed, so she let him have a pair of shoes for four dollars, and he was to work it out, washing wheat at one dollar per day. On the third day, while at work, he was surprised to hear his name called, and on turning round found the voice to proceed from his friend Sparks, and with him proceeded to the San Joaquin valley, where, in company with a party of Mormons, they founded the first permanent settlement in that great vale, on a spot situated on the north bank of the Stanislaus river a mile and a half above its junction with the San Joaquin. Here they commenced to till the soil, and eighty acres had been sown and inclosed by the middle of January, 1847. About this time, feeling disgusted at his unimproved prospects, Peckham determined to leave the San Joaquin and try his luck in the vicinity of San José which, however, he did not reach without considerable difficulty. The Winter of 1846-7 was particularly wet and stormy overflowing the banks of the rivers, creeks and sloughs. After having floated down the Stanislaus to the San Joaquin which he crossed in a canoe, it being then three miles wide, he made what he then believed to be the Livermore Pass, but now known to be Corral Hollow, therefore, at daylight he retraced his steps into the valley and struck the emigrant trail. Receiving kind care at Livermore's he passed the Mission at San José at sundown on the following day; keeping on he crossed the Milpitas rancho, wading for a mile through water from six to twelve inches deep. About ten o'clock he forded the Coyote creek, waist deep, where the road now crosses to Milpitas, and about an hour after discovered a light some distance to the right of the road,

which proved to be an Indian village that stood on the site now occupied by the Woolen Mills at San José. Here he slept. In the morning the first sight almost which greeted his eyes was the American Flag floating over the pueblo, but instead of entering the town he crossed over to Mother Bennett's, as she was called, in Santa Clara. She was glad he had come. The military officers had told her that the Mission orchard was Government property, and subject to pre-emption, and she was alone with her girls; her three sons were away, Winston, with Fremont's Battalion; Dennis a soldier in the pueblo; and Jackson was laid up with a wound received in the battle of Santa Clara. She wanted a worker to take possession of the orchard for her; plow it up and put in a crop of wheat. A bargain was made and the next morning the Judge, for the second time, entered the employ of this lady, his wages being thirty dollars a month. This day he got a gun, went out, shot some geese and in the evening returned to the house, where he was given a back room, a candle, and an Indian as room-mate; no bed, no blankets, no floor, neither chair nor stool, and no fire. While here enveloped in reflection Peckham overheard the eldest daughter say: "Mother, let us ask that man in to sit with us by the fire," to which generous appeal she received the bluff reply: "No! let him stay out there with the Indian. It is good enough for him." After a spell his supper was sent in. It consisted of a little Indian corn, roasted on the cob before the fire, shelled off, ground up in a coffee mill and saturated with water. The Judge says, "This was all right for it was all she had for herself and family, but the warm fire was a different consideration." He therefore thought soldiering was preferable, so the next morning he came to the Pueblo de San José and enlisted. This was January 29, 1847; the day after he completed his twentieth year. In the latter part of February he received his discharge and entered the store of Dr. Stokes where he received much kindness and attention, and with whom he remained until the month of May when the Doctor disposing of his stock-in-trade, Peckham was thrown out of employment, although he made his home with Joseph T. Ruckel, one of the firm who had purchased Stokes' store, until the following year, during which he essayed as a carpenter. About this period gold was discovered, and such was the rush to the mines that in a little Peckham and Frank Lightston were the only adults remaining in San José. About the last of June some of the gold-seekers returned to look after their affairs, full of astonishing stories of the new discoveries, which they were able to verify, by the gold which they had brought with them. Some of those who had gone from San José had got four, eight, and twelve, while some as high as twenty thousand dollars. Peckham could stand it no longer. About the 4th July, 1848, he started to the mines in company with Charles White and William Daniels, at the end of a week's travel finding most of the San José people in a place they had named Weber's

Creek. The stories he had heard were no fabrication. It was no object to work for less than sixteen, while there were some earning as high as from two to four hundred dollars per day. Here Peckham remained but a few days, removing then to Coloma, where the "yellow stuff" was first discovered, and there was placed in charge of his store by Sam. Brannan, but was shortly relieved by William Stout, one of the partners. From Coloma, the Judge proceeded to New Helvetia, and as a salesman took charge of the wholesale establishment there, the largest and best stocked store in the country, where he continued until early in October, when the enterprise at Coloma was closed out, Stout taking charge of that at Sacramento (New Helvetia) and parted with Peckham, between whom there had been some misunderstanding. A traveling expedition to the mines was now planned between him and a Scotch graduate of the Edinburgh University named Perkins. They purchased two thousand dollars' worth of goods on credit and hired a two-mule wagon to take them to what is now called Big Bar, on the Mokelumne river. Their route lay along the emigrant road to San José across the Cosumne and Mokelumne rivers and then up the latter on the south side about thirty miles into the mountains. In the crossing of the last-named stream, the wagon was upset, the goods saturated and such things as pilot-bread and sugar completely destroyed; thence, the route lay through the mountains; on the second day from the ford, they reached the summit of a high hill overlooking the deep valley at its base and observed the blue-curling smoke of a camp-fire. In a twinkling the hill-sides were peopled with Indians, men, women and children, coming to survey the wagon. Some uneasiness was felt as to what was to be the character of the meeting, but when within about four hundred yards, one of the Indians was heard to call out in Spanish, "Es el Cierbo" (it is the Elk), a nick-name by which the Judge is still known among them, he found he was among friends for the remark had proceeded from a young Indian who had lived with Charles M. Weber, in San José. Descending the hill they found, besides the Indians collecting gold in the river, Thomas Fallon and his stock of goods; he had been there but a few months and had already realized a fortune. Here Peckham and Perkins pitched their camp, sent the team back to Sutter's Fort and commenced retailing their stores. They had been established in this place only three days when Fallon received a message from his brother that a gulch of fabulous richness had been discovered by him only sixteen miles distant. The next day a general exodus took place, Peckham and his partner joining in the hegira, taking with them the balance of their stock on pack-mules. On arrival, they found their fountain of riches being drained by hundreds—the news had leaked out. General Castro was here, seeking fortune like the rest, while, a man in his employ found lying on the top of the ground a piece of pure gold weighing twenty-one ounces,

which Judge Peckham secured in exchange for five pairs of blankets. In less than a week our hero and Perkins had disposed of the remainder of their goods, they therefore, the mining season being over, returned on foot to New Helvetia, there to pass the Winter. Arriving at the Fort, a division of profits was made, the net proceeds being three thousand dollars, obtained in about four weeks. On his way Peckham met a party of immigrants who had crossed the mountains that year from the Mississippi valley, under the leadership of Joe Childs, by way of the Carson river and Placerville. In this train was a young lady, Ann E. Smith, to whom he was married in San Francisco, January 14, 1849, and where he obtained the position of salesman in the wholesale house of David Dring, where he spent the Winter. In the following month the Judge moved from San Francisco to San José, invested his money in city lots, and went to work at the trade of carpentering; but the time had come when a better class of workmen were to be had, he therefore abandoned this occupation and went to Campbell's redwoods, above the place now known as Saratoga, where he passed the Summer sawing logs, making from twenty to thirty dollars per day. In the month of August he proceeded to Sacramento, and purchased an ox-team for the purpose of drawing lumber from the redwoods, then a lucrative business. He drove his oxen to San Francisco, turned them out to grass, and never saw them alive again; they were found some days subsequently, dead in the mire, at the present corner of Fourth and Folsom streets in that city. He next determined to turn his attention to merchandising in San José; purchased a stock of dry goods and groceries, and returned. He erected a tent of blue drilling, and started a store in it on Market Square; here passed the Winter and until the following May. It was about this time that he determined to commence the study of law; to this end he bought two books, borrowed a couple more, and sat down to his task without a legal guide, philosopher or friend. So engrossed did he become in his new research that he did not pay proper attention to his mercantile affairs, which naturally resulted in complete failure. Being nominated in February, 1850, for the office of County Attorney, but it was necessary that the gentleman holding that position should be an admitted lawyer; he therefore passed an examination—not a very arduous one, the Judge admits—and received a certificate from Judges Redman and Kincaid. The successful candidate on the occasion was the Whig nominee, John H. Moore. On the opening of the District Court in San José, Peckham made application, was admitted to the Bar, and forthwith hung out his shingle as Attorney-at-Law, but business coming not, on account of the better-known and older opposition against which he had to contend, he settled up his affairs in San José, and removed to Monterey, where he sojourned until the Spring of 1851. Now the Judge resolved to try his hand at farming; he

consequently removed to Salinas, took up a quarter-section of what was represented to him by the adjoining ranch-owners as public land, but which they afterwards managed to get surveyed into a grant, and thus became, unwittingly, the first squatter in the valley. He fenced in forty acres and sowed it with grain, but 1851 proving a dry season it did not yield the seed. His house was made a station for Hall & Crandall's line of stages from San José to Monterey, getting enough for keeping a span of horses to pay his expenses for beef, hard-bread, sugar and coffee, meanwhile keeping up his legal studies. In the Fall of 1851 he moved to Santa Cruz, entered into partnership with George W. Crane, and was very successful. The partnership, however, not lasting long, the Judge went into business on his own account, one of his first clients being his old acquaintance, Mrs. Bennett, who was naturally much surprised to find her *quondam* "help" a full-fledged lawyer, with a lucrative practice. In 1853 he was elected to the office of District Attorney of Santa Cruz county, and served three years in that capacity. In the same year he conducted the case *Kettleman vs. Graham* for the plaintiff, having as his opponents D. S. Gregory, and the late General E. D. Baker, when he received very high praise from the entire Bar, but more especially from ex-Governor Burnett, then a prominent member of the legal fraternity of San José. On his return to Santa Cruz he was engaged in a case with Judge Ord to dissolve an injunction in the case of *Gregory vs. Hay*, there being about twenty thousand dollars involved, while shortly after this he was admitted to practice in the Supreme Court. He soon began to feel that he had secured the confidence of the people, as also that of the Courts, and the leading members of the profession as well. In less than two years he was allowed by the Judges of the Supreme Court to have attained a legal knowledge of a high order, while he had made for himself a State reputation. His cases in Santa Cruz and Monterey were mostly those springing from disputes in regard to land, involving, occasionally, sums of great magnitude, most of which were settled before he left that quarter. He was elected and served one term as County Judge of Santa Cruz. In 1863 he returned to San José and entered upon the practice of his profession. In 1865 he joined Judge Payne in business, a copartnership which existed until 1870. In 1868, fearing the loss of eyesight and memory, he went to the Eastern States, visited every celebrated battle-field, and every noted city, made himself cognizant with the working of several manufactories, especially those in woolen goods, and, on his return to San José, determined to start a mill for that class of fabric, which, after years of toil and unceasing energy he has succeeded in doing, until now it is one of the best pieces of property in California. His trouble in getting it upon a paying basis will be found fully explained on page 524 of this work. He has a family of nine children, the following being

their names and dates of birth: William Henry, born November 17, 1849; Martha Jane, born October 17, 1851; James Albert, born March 11, 1854; Mary Augusta, born October 20, 1855; Sarah Frances, born June 24, 1857; Lois Aureline, born September 30, 1859; Lucy Josephine, born October 4, 1861; Benjamin Lincoln, born October 27, 1865; Leah Caroline, born October 3, 1867.

Joseph E. Rucker. Is the eldest son of William T. and Veranda S. Rucker, and was born in Howard county, Missouri, December 21, 1831. When a year old his parents took him to Saline county, where he received his education, and learned farming. In May, 1852, he started for California with a drove of cattle, and occupying five months in driving them across the plains, he finally arrived in Santa Clara county, October 1st of that year. He at once proceeded to the redwoods, but after working only nine days, he was stricken with typhoid fever and obliged to return to the valley. On regaining his strength he commenced working on the farm of James Williams, and with him remained during the year, all but one month, during which he planted a crop of potatoes on his own account. He received wages at sixty-five dollars per month from December, 1852, for the whole year. On the expiration of his term in December, 1853, Mr. Rucker, with his father, took up a claim about two miles west from Santa Clara, where he remained until 1856, when he disposed of his land, and moved to Gilroy, where he combined merchandising with stock-raising and farming. From the proceeds of the stock there raised he purchased two hundred and forty acres of land. The farm he left in 1861, and moved on the Salice ranch, he having previously purchased it. Here he remained till the Fall of 1864, when he went on a farm about four and a half miles south from Santa Clara. In August, 1874, Mr. Rucker moved on to a ten-acre tract at The Willows, and thence to E street, San José. At that date he opened a real estate and insurance office in the Commercial Bank Building, and has since been joined by Robert Page, which partnership is carried on under the style and firm of Rucker & Page. Mr. Rucker is also the possessor of three hundred acres of land in San Bernardino county. He married, September 27, 1855, Susan Brown, a native of Missouri, who came to California in 1850, and has: William B., born February 6, 1857; Mary E., born August 16, 1858; James T., and Samuel N. (twins), born April 16, 1862; Joseph H., born March 23, 1865; Susan W., born March 5, 1867; Lucy M., born May 31, 1869.

John H. Russell. Was born in Cook county, Illinois, July 16, 1843. He received his primary education in the common schools of the district, and was a student in the Northwestern University, at Evanston, Illinois. At the beginning of the Civil War, August 5, 1861, at the age of eighteen years,

he enlisted in Company F, Thirty-ninth Illinois Volunteers, and with his regiment joined Fremont's command in Missouri; from thence were ordered to proceed to the upper Potomac, where they served during the Winter of 1861-62, and were assigned to duty as guard to the workmen who were rebuilding the Baltimore and Ohio Railroad, until its completion to Martinsburg, Virginia, when they were attached to General Shield's Division; participated in the battle of Winchester or Kernstown, March 23, 1862, and the long and arduous marches, counter-marches, skirmishes, and battles, which followed in the Shenandoah valley; thence proceeded to re-enforce McClellan's Army, and arrived during the progress of the battle of Malvern Hill, July 1, 1862; covered the retreat of the Potomac Army from the Peninsula; garrisoned Suffolk, Virginia, until January, 1863; and were transferred to the Department of North Carolina and sailed with General Foster's expedition to Hilton Head, South Carolina, and were actively engaged in the campaigns that followed—the siege and capture of Morris Island, Forts Wagner and Gregg, erection of the "Swamp Angel," and the battering down of Fort Sumter. Our subject re-enlisted in the same regiment, which, after a short furlough home joined the Army of the James, and was assigned to the Tenth Corps, and were almost constantly engaged in action during the memorable campaign of 1864, at Bermuda Hundred, Deep Bottom, and before Petersburg. Early in 1865, our subject was promoted to the rank of Second Lieutenant, and subsequently First Lieutenant, and transferred to the Thirty-eighth Regiment U. S. C. F., and as such served in front of Richmond, and was among the first to lead his company into that city, April, 1865. Was appointed Regimental Quartermaster, in June, of the same year, when his regiment sailed for Texas with the Twentieth Corps, and performed frontier service along the Rio Grande, until February, 1867, when his command was mustered out of service. He now bade adieu to military life, returned home, entered the Chicago University, and graduated from the law department, and came to California. Was married to Cornelia E. Cadwell, since which time he has been a resident of San José. Was Deputy City Clerk from April, 1879, to October, 1880, and Deputy County Clerk from that date to the present writing. Has two children, viz.: Jessie Eleanor, born September 12, 1870; and Gilbert H., born October 18, 1872.

Givens George. Born in Callaway county, Missouri, January 11, 1830, where he was educated, learned the trade of printer, and followed it until coming to California, by the way of the plains. He, accompanied by his father and brother, arrived September 19, 1849, and halted at Placerville, then known by the rather onimous name of Hangtown. Here Mr. George mined until 1850. He now determined to return to the Eastern States, and proceeding *via* Nicaragua where he remained five months; on reaching his

destination he entered upon the study of medicine. This, however he abandoned, and returning to California in 1852, came to San José, Santa Clara county, in the month of December, and became engaged with F. B. Murdoch & Emerson in the publication of the *Santa Clara Register*. January 4, 1854, he commenced issuing the *Semi-Weekly Tribune*, and continued it until 1859, when he sold to George O'Daugherty, and went to Sacramento, where he was employed on the *Union* and *Bee*, until the Spring of 1861, when he returned to San José. Mr. George now established himself in the auction and commission business in that city, which he conducted until 1870, when he opened a saloon, in which occupation he has been since engaged. On April 1, 1881, in company with Rudolph Hoelby, he opened the elegant and spacious establishment at the Auzerais House, as well as that at 286 First street. Givens George is one of the pioneers of Santa Clara county, of which he is a permanent resident. He owns a commodious residence on Third street, San José. Married, October 25, 1855, Mary Frances Wilburn, a native of Missouri, and has seven children living: Ida, Mattie, William B., Charles, Frank Wilburn, Alfred and Everett Stone; and one child dead.



Table showing the County and Township Officers from the year 1850 to 1881, inclusive, with notes showing the Appointments made by the Board of Supervisors between each General Election.

OFFICES.	1850-1.	1851-2.	1852-3.	1853-4.	1854-5.	1855-6.
	Name of Holder.	Name of Holder.	Name of Holder.	Name of Holder.	Name of Holder.	Name of Holder.
State Senator.	No Record	Jacob Grewell	833 Jacob Grewell	Wm. McCutchen	Sherman Day	1022 Sherman Day
State Senator.		Henry C. Smith	806 Henry C. Smith	Wm. S. Letcher	C. T. Ryland	125 George Peck
Member of Assembly.					Wm. S. Letcher	861 Caswell Davis
"						
District Judge.		Craven P. Hester	906 Craven P. Hester	R. B. Buckner	R. B. Buckner	
Superior Judge.		J. H. Moore	771 J. H. Moore	J. H. Moore	J. H. Moore	
County Judge.				John R. Hewson	John R. Hewson	
District Attorney.				S. A. Clark	S. A. Clark	
County Clerk.						
Recorder.						
"						
Auditor.						
"						
Sheriff.						
Tax-Collector.						
Treasurer.						
Coroner.						
Surveyor.						
Supt. of Schools.						
Pub. Administrator.						
Supervisors.						
Associate Justices.						
Court of Sessions.						
JUSTICES OF THE PEACE.						
Washington Township.						
San Jose.						
Santa Clara.						
Burnett.						
Radwood.						

Table Showing the County and Township Officers of Santa Clara from 1850 to 1881, inclusive.—Continued.

OFFICES.	1850-1.		1851-2.		1852-3.		1853-4.		1854-5.		1855-6.	
	Name of Holder.	No Record	Name of Holder.	No Record	Name of Holder.	No Record	Name of Holder.	No Record	Name of Holder.	No Record	Name of Holder.	No Record
JUSTICES OF THE PEACE.												
Redwood	W. G. Rowden		J. Martin		88 J. K. Beals		88 J. K. Beals		62 James Keyes		A. Slayback	61
Gilroy	John Gilroy		A. Bennett		70 S. Stewart		70 S. Stewart		50 D. Jackson		60 J. H. Turner	115
"	Jose Quintin Ortega		S. Rutherford		24 Samuel Meyers		24 Samuel Meyers		184 J. P. Martin		62 E. P. Wright	96
Fremont			Leonard Frost		22 Sam Rutherford		22 Sam Rutherford		116 Sam Rutherford		63 C. G. Fuller	123
Alviso			A. S. H. Gallagher		27 Robt. Hutchinson		27 Robt. Hutchinson		50 T. J. Wilson		63 N. Graham	115
"			Geo. Reed		26 Harry Wade		26 Harry Wade		55 Robt. Hutchinson		65 G. Wallace	39
Almaden			John Young		13		13		25 John Berry		55 Robt. Hutchinson	37
"			D. F. Winslow		13		13		R. C. Keys		R. C. Keys	1
COSTABLES.												
San Jose Township	S. W. Danie's		Albert Woodford		147 A. G. Woodford		147 A. G. Woodford		252 John Gregory		511 John McKune	424
"	Wm. Haun		L. L. Logan		144 M. M. Bryant		144 M. M. Bryant		250 M. M. Bryant		52 Jas. T. Hancock	411
Santa Clara			David Campbell		156 J. Clayton		156 J. Clayton		235 C. Caldwell		163 J. B. Keency	192
Burnett			T. H. Moreland		156 J. G. Compton		156 J. G. Compton		178 J. Wood		141 L. A. Greweil	182
Washington			Pablo Sumalla		20 Asa Smith		20 Asa Smith		3 C. N. Coe		31 C. N. Coe	2
"			W. E. Lovett		20 J. P. Gulnac		20 J. P. Gulnac		3 C. W. Kellogg		26 — Spangler	11
Gilroy			Oscar Fay		138		138		117 P. Hovey		81 J. A. Owens	116
"	V. Martinez		E. A. Morehouse		107		107		103 M. T. Holsclaw		86 M. T. Holsclaw	83
Redwood	— Burton		John Rogers		70 A. Clark		70 A. Clark		103 M. T. Holsclaw		W. D. Hudson	70
"			M. T. Holsclaw		49 Dan. Wilson		49 Dan. Wilson		63		C. P. Ray	57
Fremont			C. Bryant		John Williams		John Williams		188 J. Swinford		63	
Alviso			A. J. Thompson		24 E. W. Rawie		24 E. W. Rawie		128 H. C. Bryant		62	
Almaden			B. R. Rand		25		25		John Gallagher		48 J. White	24
"			A. Evans		33		33		H. B. Chatfield		45 H. B. Chatfield	34
"			George Gay		John Bohlinan		John Bohlinan					

References:—

W.—Whig.
D.—Democrat.
D. D.—Douglas Democrat.
R.—Republican.
I.—Independent.
P.—People's.
T.—Temperance.
W. M.—Workingmen's.
N. P.—Non-Partisan.
K. N.—Know-Nothing.
Y. M.—Young Men.
A.—American.

Notes, 1850-1.
July 5, 1851—John Gilroy, to be Associate Justice of the Court of Sessions, vice
H. C. Smith, resigned.

Notes, 1851-2.
December, 1851—Cyrus G. Sanders, to be Associate Justice of the Court of
Sessions, vice Buckner, resigned.

Notes, 1852-3.
April 15, 1852—Charles Clayton, to be County Treasurer.

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OFFICES.			1856-7.		1857-8.		1858-9.		1859-60.		1860-1.		1861-2.	
	Name of Holder.	vote	Name of Holder.	vote	Name of Holder.	vote	Name of Holder.	vote	Name of Holder.	vote	Name of Holder.	vote	Name of Holder.	vote
State Senator	Samuel B. Bell	W 772	Samuel B. Bell	D 1004	R. A. Redman	D 1004	R. A. Redman	D 1004	R. A. Redman	D 1004	A. L. Rhodes	R 1477	A. L. Rhodes	
Member of Assembly	John A. Quimby	R 787	Samuel B. Bell	D 1004	E. C. Tully	D 1004	J. Milton Williams	D 1433	H. W. Briggs	R 1477	John Zuck	R 1507	John Zuck	
"	Noah Palmer	R 776	W. W. McCoy	D 1467	Jas. P. Springer	D 1467	D. B. Bailey	D 1349	J. H. Morgan	R 1338	Charles Mackay	R 1722	Charles Mackay	
"	"	"	"	"	"	"	"	"	"	"	J. Brown	R 1636	J. Brown	
District Judge.	"	"	"	"	"	"	"	"	"	"	"	"	"	
Superior Judge.	"	"	"	"	"	"	"	"	"	"	"	"	"	
County Judge.	J. Milton Williams	"	John H. Moore	D 1380	John H. Moore	D 1380	John H. Moore	D 1380	John H. Moore	D 1380	John H. Moore	D 1380	John H. Moore	
District Attorney	John B. Hewson	"	J. Alex. Yeell	D 1386	J. Alex. Yeell	D 1386	A. L. Rhodes	R 1237	A. L. Rhodes	R 1237	Frank E. Spencer	R 1788	Frank E. Spencer	
County Clerk	S. A. Clark	"	A. M. Thompson	D 1280	A. M. Thompson	D 1280	John R. Wilson	D 1510	John R. Wilson	D 1510	Jas. A. Clayton	R 1801	Jas. A. Clayton	
"	"	"	"	"	"	"	"	"	"	"	C. Boetick	R 1801	C. Boetick	
Auditor	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Sheriff	P. T. McCabe	"	John M. Murphy	D 987	John M. Murphy	D 987	John M. Murphy	D 1384	John M. Murphy	D 1384	John M. Murphy	D 1384	John M. Murphy	
Tax Collector	F. T. McCabe	"	H. C. Melone	D 1087	H. C. Melone	D 1087	H. C. Melone	D 1406	H. C. Melone	D 1406	John M. Murphy	R 1810	John M. Murphy	
Treasurer	F. G. Appleton.	"	W. H. Patton	D 1370	W. H. Patton	D 1370	Wm. R. Davis	D 1227	Wm. R. Davis	D 1227	C. W. Pomeroy	R 1912	C. W. Pomeroy	
Assessor	C. G. Bland	"	Thos. J. Ingersol.	D 1438	Thos. J. Ingersol	D 1438	Thos. J. Ingersol.	D 1311	Thos. J. Ingersol.	D 1311	Jacob Allen	R 1769	Jacob Allen	
Coroner	H. P. Strain	"	Chas. T. Healy	D 1438	Chas. T. Healy	D 1438	Chas. T. Healy	D 1722	Chas. T. Healy	D 1722	John Reed	R 1807	John Reed	
Surveyor	L. B. Healy	"	Matthew Mitchell.	D 1323	Matthew Mitchell	D 1323	Matthew Mitchell	D 1163	Matthew Mitchell	D 1163	S. & Wiles	R 1791	S. & Wiles	
Supt. of Schools.	Freeman Gates.	"	A. B. Caldwell	D 1467	Jos. H. Kincaid.	D 1467	Jos. H. Kincaid.	D 1467	Jos. H. Kincaid.	D 1467	Harry Wade	R 1751	Harry Wade	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Public Administ.	"	"	"	"	"	"	"	"	"	"	"	"	"	
SUPERVISORS:	"	"	"	"	"	"	"	"	"	"	"	"	"	
District No. 1	Cary Peebels	350 S.	Rallard	450 Jno. M. Swinford	408 H. J. Bradley	408 H. J. Bradley	385 W. K. Bethel	385 W. K. Bethel	385 W. K. Bethel	385 W. K. Bethel	440	440	440	
" 2	China Smith	329 J. H. Kincaid.	517 El Jones	423	158	158	158	158	158	158	158	158	158	
" 3	D. R. Douglas	62 A. Warthen	134 H. D. Coon	132	132	132	132	132	132	132	132	132	132	
JURIES OF THE PEACE.	"	"	"	"	"	"	"	"	"	"	"	"	"	
San Jose Township.	Alfred Cowles	365 Wm. Daniels	467 Wm. Daniels	467 Wm. Daniels	467 Wm. Daniels	467 Wm. Daniels	616 Arthur Shearer	616 Arthur Shearer	616 Arthur Shearer	616 Arthur Shearer	555	555	555	
"	Isaac Foster	335 Marcus Williams	450 Jno. W. Johnson	399 Jno. W. Johnson	399 Jno. W. Johnson	399 Jno. W. Johnson	153 Sam. Morrison	153 Sam. Morrison	153 Sam. Morrison	153 Sam. Morrison	241	241	241	
Santa Clara	J. W. Eastin	183 J. W. Eastin	177 Asa. W. Finley	177 Asa. W. Finley	177 Asa. W. Finley	177 Asa. W. Finley	138 Sam. Henderson	138 Sam. Henderson	138 Sam. Henderson	138 Sam. Henderson	102	102	102	
"	Peleg Rush	118 S. Henderson.	Sam. Henderson.	Sam. Henderson.	Sam. Henderson.	Sam. Henderson.	R. H. McElroy	R. H. McElroy	R. H. McElroy	R. H. McElroy	10	10	10	
Burnett	"	"	"	"	"	"	"	"	"	"	Jas. O'Connor.	31	Jas. O'Connor.	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Redwood	O. Webb	95 O. Webb	O. Webb	45 O. Webb	O. Webb	O. Webb	36 O. Webb	36 O. Webb	36 O. Webb	36 O. Webb	127	127	127	
"	Jacob Deane	109 Jas. A. Perkins	42 J. W. Farwell	42 J. W. Farwell	42 J. W. Farwell	42 J. W. Farwell	102 P. R. Tully	102 P. R. Tully	102 P. R. Tully	102 P. R. Tully	115	115	115	
Gilroy	Tipton Lindsey	61 John A. Perkins	4 W. Angel	4 W. Angel	4 W. Angel	4 W. Angel	99 E. Leavelley	99 E. Leavelley	99 E. Leavelley	99 E. Leavelley	197	197	197	
"	J. V. Eastin	106 J. V. Eastin	126 J. S. Wallis	126 J. S. Wallis	126 J. S. Wallis	126 J. S. Wallis	92 J. S. Wallis	92 J. S. Wallis	92 J. S. Wallis	92 J. S. Wallis	103	103	103	
Fremont	J. N. Graham	83 H. B. Thompson	165 H. B. Thompson	165 H. B. Thompson	165 H. B. Thompson	165 H. B. Thompson	102 S. P. Taylor	102 S. P. Taylor	102 S. P. Taylor	102 S. P. Taylor	78	78	78	
"	Robt. Hutchinison	40 Thos. J. Wilson	87 R. P. Young	87 R. P. Young	87 R. P. Young	87 R. P. Young	42 H. F. Leban	42 H. F. Leban	42 H. F. Leban	42 H. F. Leban	53	53	53	
Alviso	J. R. Weller	35 J. R. Weller	79 J. R. Weller	79 J. R. Weller	79 J. R. Weller	79 J. R. Weller	Robt. Byers	Robt. Byers	Robt. Byers	Robt. Byers	25	25	25	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Almaden	C. W. Wright.	29	"	29	"	"	J. H. Squires	J. H. Squires	J. H. Squires	J. H. Squires	25	25	25	
CORREABLES.	"	"	"	"	"	"	"	"	"	"	"	"	"	
San Jose Township.	Frank McKee	335 J. L. Miller	456 J. L. Miller	456 J. L. Miller	456 J. L. Miller	456 J. L. Miller	383 J. L. Miller	383 J. L. Miller	383 J. L. Miller	383 J. L. Miller	556	556	556	
"	A. E. Moody	334 A. W. Stowe	444 W. H. Latham	444 W. H. Latham	444 W. H. Latham	444 W. H. Latham	396 Jas. V. Tisdall	396 Jas. V. Tisdall	396 Jas. V. Tisdall	396 Jas. V. Tisdall	544	544	544	
Santa Clara	C. T. Healy	202 G. E. Buckman.	137	137	137	137	Robt. Dibble.	Robt. Dibble.	Robt. Dibble.	Robt. Dibble.	278	278	278	
"	E. E. Bland	131 R. E. Bland.	"	"	"	"	J. W. Hasford	J. W. Hasford	J. W. Hasford	J. W. Hasford	211	211	211	
Burnett	"	"	"	"	"	"	John Kirby	John Kirby	John Kirby	John Kirby	13	13	13	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Redwood	C. H. Little.	79 C. H. Little	37 C. H. Little	37 C. H. Little	37 C. H. Little	37 C. H. Little	C. H. Little.	C. H. Little.	C. H. Little.	C. H. Little.	28	28	28	
"	S. Morrison.	68 Jonathan Smith	27 Wm. Haun	27 Wm. Haun	27 Wm. Haun	27 Wm. Haun	13 E. F. Wilcox.	13 E. F. Wilcox.	13 E. F. Wilcox.	13 E. F. Wilcox.	186	186	186	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	
"	"	"	"	"	"	"	"	"	"	"	"	"	"	

Table Showing the County and Township Officers of Santa Clara from 1850 to 1881, inclusive.—Continued.

OFFICES.	1856-7.		1857-8.		1858-9.		1859-60.		1860-1.		1861-2.	
	Name of Holder.	vote.	Name of Holder.	vote.	Name of Holder.	vote.	Name of Holder.	vote.	Name of Holder.	vote.	Name of Holder.	vote.
CONSTABLES.												
Bilroy	P. Dowdy.	7	Wm. Ames.	29	W. E. Phillips.	117	W. T. Holclaw.	74	Moses G. Noble.	144	John Bond.	166
"	Andw. Myers.	29	"	29	James Brumham.	12	W. T. Harvey.	7	S. L. Morrison.	106	P. Dowdy.	155
"	A. J. Presley.	29	A. Whiskam.	60	"	76	Alex. Johnson.	90	S. R. Goodwin.	80	"	112
Fremont	W. F. Van Ert.	29	E. J. Pavellon.	33	I. A. Ralhe.	70	J. A. Ralhe.	71	G. B. Gleason.	48	N. Hall.	64
"	John White.	29	"	29	Ira Card.	70	J. A. White.	51	J. White.	45	"	74
Malviso	John Ames.	29	"	29	J. White.	28	J. White.	51	"	46	"	85
"	John Ames.	29	"	29	W. E. Gilmore.	70	G. Wm.	58	H. Wade.	46	C. W. Lowe.	85
"	John Ames.	29	"	29	"	70	John Charles.	49	John Charles.	95	Ed. Wells.	66
Almaden	Thos. Smith.	29	"	29	"	70	Thos. Barker.	39	Thos. Barker.	25	Robt. Merritt.	62

Notes, 1-58-9.

Oct. 28, 1875 J. Addison Monttrie to be District Attorney vice J. Alex. Yoell,
resigned.

Notes, 1500-1.

Dec. 24, 1900-
resigned.

Notes. 1861-2.

Note, 15.59-60.

Aug. 2, 1870 Woodson Angel, Justice of the Peace, Gilroy Township, resigned.

Dec. 24, 1980—John C. Hester to be District Attorney *vice* A. I. Rhodes, resigned.

April 8, 1901.—Joseph C. Hamer to be Supervisor District No. 3, *vice* H. D. Coon, removed from the county.

[illegible]

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COUNTY AND TOWNSHIP OFFICERS.

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District No. 2	S. S. Johnson	L. Robinson	John Cook	350 John Cook	S. J. Jamison	464 R. I. Jamison	682
" 3	F. Sleeper	F. Sleeper	A. Perkins	W. H. Patton	W. H. Patton	W. N. Furlong	250
" 4				Dev. Campbell	Dev. Campbell	J. W. Boulware	2550
JURISTS OF THE PEACE							
San Jose Township	H. C. Skinner	H. C. Skinner	N. Cook	R. I. Barnett	R. I. Barnett	Geo. May	1211
"	R. B. Hall	R. B. Hall	N. Cook	J. W. Johnson	J. W. Johnson	Geo. May	1211
"	John Erickson	John Erickson	N. Cook	186 John Erickson	186 John Erickson	Geo. May	1211
Santa Clara	Peleg Rush	Peleg Rush	N. Cook	181 J. M. Billings	181 J. M. Billings	Geo. May	1211
"	A. Smith	A. Smith	N. Cook	92 J. M. Billings	92 J. M. Billings	Geo. May	1211
Burnett	La. Murphy	La. Murphy	N. Cook	82 Chas. Farr	82 Chas. Farr	Geo. May	1211
"	L. Collins	L. Collins	N. Cook	83 H. D. McCobb	83 H. D. McCobb	Geo. May	1211
Redwood	D. J. Burnett	D. J. Burnett	N. Cook	110 J. C. Hutchinson	110 J. C. Hutchinson	Geo. May	1211
"	P. B. Wentz	P. B. Wentz	N. Cook	102 F. Dowdy	102 F. Dowdy	Geo. May	1211
Gilroy	Nathan Hall	Nathan Hall	N. Cook	56 E. Leavelly	56 E. Leavelly	Geo. May	1211
"	J. S. Wallis	J. S. Wallis	N. Cook	56 N. Eaton	56 N. Eaton	Geo. May	1211
Fremont	Wm. Erickson	Wm. Erickson	N. Cook	32 Robt. Hutchinson	32 Robt. Hutchinson	Geo. May	1211
"	Wm. Wright	Wm. Wright	N. Cook	98 D. R. Tilden	98 D. R. Tilden	Geo. May	1211
Alviso	C. W. Wright	C. W. Wright	N. Cook	102 P. White	102 P. White	Geo. May	1211
"	N. Clarke	N. Clarke	N. Cook	85 H. S. Brockway	85 H. S. Brockway	Geo. May	1211
Almaden	J. E. Weller	J. E. Weller	N. Cook	57 J. R. Weller	57 J. R. Weller	Geo. May	1211
"	O. H. P. Vennum	O. H. P. Vennum	N. Cook	55 D. K. Fuller	55 D. K. Fuller	Geo. May	1211
Milpitas			N. Cook			Geo. May	1211
CONSTABLES							
San Jose Township	Robt. Scott	Robt. Scott	Robt. Scott	758 Robt. Scott	758 Robt. Scott	Geo. May	1211
"	E. B. Wiles	E. B. Wiles	Robt. Scott	682 Jas. Brownlee	682 Jas. Brownlee	Geo. May	1211
Santa Clara	Fred Morris	Fred Morris	Robt. Scott	266 Jos. Vallier	266 Jos. Vallier	Geo. May	1211
"	J. McDonald	J. McDonald	Robt. Scott	171 J. F. Gotcher	171 J. F. Gotcher	Geo. May	1211
Burnett	G. H. Bodfish	G. H. Bodfish	Robt. Scott	28	28	Geo. May	1211
"	W. Kenyon	W. Kenyon	Robt. Scott	120 J. Shepherd	120 J. Shepherd	Geo. May	1211
Redwood	F. Randall	F. Randall	Robt. Scott	111 Albert Ross	111 Albert Ross	Geo. May	1211
"	J. Sh pherd	J. Sh pherd	Robt. Scott	120 Green Hanna	120 Green Hanna	Geo. May	1211
Gilroy	A. W. Hubbard	A. W. Hubbard	Robt. Scott	61 P. H. H. H. H.	61 P. H. H. H. H.	Geo. May	1211
"	John Paine	John Paine	Robt. Scott	134 Ira Swain	134 Ira Swain	Geo. May	1211
Fremont	J. N. Spencer	J. N. Spencer	Robt. Scott	106 J. N. Spencer	106 J. N. Spencer	Geo. May	1211
"	C. Dickey	C. Dickey	Robt. Scott	Chas. Wade	Chas. Wade	Geo. May	1211
Alviso	C. W. Love	C. W. Love	Robt. Scott	A. B. Rowley	A. B. Rowley	Geo. May	1211
"	A. Gleason	A. Gleason	Robt. Scott	148 C. F. O'Brien	148 C. F. O'Brien	Geo. May	1211
Almaden	R. Merritt	R. Merritt	Robt. Scott	113 R. H. McElroy	113 R. H. McElroy	Geo. May	1211
"	J. White	J. White	Robt. Scott	53 W. H. Wright	53 W. H. Wright	Geo. May	1211
Milpitas	J. W. Johnson	J. W. Johnson	Robt. Scott	10 J. J. Schenmerhorn	10 J. J. Schenmerhorn	Geo. May	1211

Notes, 1862-3. — May 10, 1862 — Phineas K. Dow to be Constable.
Nov. 17, 1862 — B. F. Bute to be Justice of the Peace, Fremont Township, vice Hall, resigned.

Notes, 1863-4-5. — Feb. 8, 1864 — J. H. Adams to be Sheriff, vice Kennedy, deceased.
Feb. 13, 1864 — F. Garrigus to be Constable, Santa Clara Township, vice Morris.
March 8, 1864 — J. N. Spencer and James Laird to be Constables, Fremont Township, vice Keyser.
March 11, 1865 — J. J. Hoven to be County Surveyor, vice A. D. Fuller, deceased.
Oct. 25, 1865 — E. C. Needham to be Justice of the Peace, Fremont Township, vice Hawley, declined to serve.
Nov. 9, 1865 — Wm. M. Williams to be Justice of the Peace, San Jose Township, vice Skinner, resigned.

Notes, 1865-6-7. — Feb. 7, 1865 — J. L. Chandler to be Justice of the Peace, Fremont Township, vice Richardson, resigned.
Feb. 10, 1865 — Dr. D. Huber to be Justice of the Peace, Gilroy Township, vice Seidel, resigned.
Feb. 17, 1865 — C. E. Hawley to be Justice of the Peace, Almaden Township.
March 27, 1865 — Adolf Selman to be Justice of the Peace, Almaden Township, vice Hawley, declined to serve.

Table showing the County and Township Officers of Santa Clara, from 1850 to 1881 inclusive.—Continued.

	1873-4-5.			1875-6-7.			1877-8-9.			1879-80.			1881.		
	Name of Holder.	vote		Name of Holder.	vote		Name of Holder.	vote		Name of Holder.	vote		Name of Holder.	vote	
State Senator	Thos. H. Laine.	12156		Thos. H. Lane.			R. B. Murphy	D 3262		Geo. F. Baker			Geo. F. Baker		
"	Thos. Bodley.			W. Z. Angney	D 13131		W. Z. Angney	D 3145		J. C. Zuck			J. C. Zuck		
Member of Assembly	Thomas Rea.	R 20333		S. J. Jamison	D & 13114		C. W. Upton	D 3145		John Reynolds	R 3064		John Reynolds	R 3064	
"	F. C. Frank	R 22938		L. Archer	D & 12987		Wm. B. Hardy	D 3196		Milus H. Gay	R 3099		Milus H. Gay	R 3099	
"	Alex. Hay	I 19694		Cyrus Jones	D & 12275		Rush McComas	R 2964		Christian Wentz	R 3097		Christian Wentz	R 3097	
District Judge	David Belden.	2415		David Belden			David Belden			D. Belden and F. E. Spencer			D. Belden and F. E. Spencer		
Superior Judge															
County Judge	D. S. Payne.			D. S. Payne	R & 1762		D. S. Payne	D 3204		James H. Campbell			James H. Campbell		
District Attorney	Thos. Bodley.	I 2101		Wm. M. Lovell	D 2738		Wm. M. Lovell	D 3204		J. J. Sontheimer			J. J. Sontheimer		
County Clerk	Cornelius Finley	R 2354		J. J. Sontheimer	R & 12992		J. J. Sontheimer	R 2962		H. W. Stephens			H. W. Stephens		
"	Wm. J. Colahan	R 2214		Wm. B. Hardy	D 1		Wm. B. Hardy	D 3196		H. W. Stephens			H. W. Stephens		
"	H. Fairfield	R 2214		Wm. B. Hardy	D 1		Wm. B. Hardy	D 3196		Frank E. Williams			Frank E. Williams		
"	Auditor						N. R. Harris	D 3425		Wm. A. January			Wm. A. January		
"	Sheriff	J. H. Adams	R 2233	N. R. Harris	D & 1		N. R. Harris	D 3425		Hiram Fairfield			Hiram Fairfield		
"	Tax Collector	J. H. Morgan	R 2227	W. A. January	D & 1		Wm. A. January	D 3575		James T. Harris			James T. Harris		
"	Treasurer	D. C. Bailey	R 2505	W. A. January	D & 1		Wm. A. January	D 3575		W. A. Richards			W. A. Richards		
"	Assessor	Thos. M. Lilly	R 2146	Henry Phelps	D & 1		A. McMahon	D 3079		L. J. Chipman			L. J. Chipman		
"	Coroner	A. J. Cory	R 2023	F. B. Smith	R & 1		A. McMahon	D 3079		James T. Harris			James T. Harris		
"	Recorder	A. T. Hermann	R 2017	John Coombe	D 2522		John Coombe	D 3127		James T. Harris			James T. Harris		
"	Surveyor	J. G. Kennedy	I 22916	E. Roseau	D & 1		L. J. Chipman	R 2966		James T. Harris			James T. Harris		
"	Supt. of Schools	A. W. Harrison	R 2051	F. B. Smith	R & 1		A. McMahon	D 3079		James T. Harris			James T. Harris		
"	Public Administrator	J. M. Battee	400	J. M. Battee			Martin Kell	677		M. D. Kell			M. D. Kell		
"	Notary Public	Abraham King	170	Abraham King			J. H. M. Townsend	867		James Snow			James Snow		
"	"	A. Chow	263	A. Chew			John Weathers	831		John Weathers			John Weathers		

OFFICERS.

Feb. 6, 1868—John J. Erskine to be Justice of the Peace, Santa Clara Township.
 Feb. 8, 1868—E. C. Needham to be Justice of the Peace, Fremont Township.
 Feb. 8, 1868—Samuel Morrison to be Justice of the Peace, Santa Clara Township.
 Feb. 27, 1868—James R. Lowe to be Justice of the Peace, Almaden Township, vice Sellman, resigned.
 Feb. 6, 1867—J. R. Brierly elected Superintendent of Schools, vice Tomner, resigned.
 Feb. 7, 1867—E. H. Swarthout to be Superintendent of County Infirmary.
 April 25, 1867—David B. Moody to be County Treasurer, vice Abijah McCall, declared a defaulter.
 June 15, 1867—Joseph Howie to be Justice of the Peace, Almaden Township, vice Lowe, resigned.
 Nov. 17, 1867—H. B. Brockway to be Justice of the Peace, Almaden Township.
 Feb. 3, 1868—Robert Scott to be Constable, Santa Clara Township.
 Feb. 5, 1868—C. Van Buren to be Constable, Fremont Township, vice Spencer, resigned.
 Feb. 5, 1868—J. C. Hutchinson to be Justice of the Peace, Redwood Township, vice Chandler, failed to qualify.
 Feb. 6, 1868—H. A. Keimath to be Justice of the Peace, Fremont Township, vice Chaudler, failed to qualify.
 Feb. 27, 1868—Dr. A. J. Spencer to be County Physician.
 March 2, 1868—H. J. Bradley to be Superintendent County Infirmary.

Notes, 1869-70-1.
 Feb. 16, 1870—Dr. A. J. Cory to be County Physician.
 Feb. 17, 1870—Thomas Smith to be Janitor of Court House.
 March 1, 1870—Dr. A. J. Cory to be Superintendent County Infirmary.
 July 1, 1870—Francis Myers to be Justice of the Peace, Almaden Township.
 July 9, 1870—W. M. Lovell to be District Attorney, vice Williams, deceased.
 Nov. 10, 1870—W. B. Black to be Constable, Santa Clara Township, vice Van der Grint.
 Dec. 16, 1870—Thomas Smith to be Justice of the Peace, Almaden Township.
 Dec. 16, 1870—Wm. Yeager to be Constable, Almaden Township.
 Feb. 14, 1871—James Phegley to be Constable, Burnett Township.
 March 3, 1871—R. Caldwell to be County Coroner, vice Robinson, resigned.
 June 8, 1871—Ralph Lowe to be Justice of the Peace, Almaden Township, vice Smith, resigned.
 June 16, 1871—G. M. Mason to be Justice of the Peace, Gilroy Township.

Notes.

COUNTY AND TOWNSHIP OFFICERS.

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SUPERVISORS:		JUSTICES OF THE PEACE.		AT LARGE.	
District No. 4	H. M. Leonard	460	H. M. Leonard	422	H. M. Leonard
" 5	S. F. Ayer	247	S. F. Ayer	1216	R. B. Buckner
" 6	W. H. Rogers	324	W. H. Rogers	1217	R. B. Buckner
" 7	W. N. Furlong	327	W. N. Furlong	1218	R. B. Buckner
AT LARGE.		AT LARGE.		AT LARGE.	
San Jose Township		San Jose Township		San Jose Township	
Santa Clara		Santa Clara		Santa Clara	
Burnett		Burnett		Burnett	
Redwood		Redwood		Redwood	
Gilroy		Gilroy		Gilroy	
Fremont		Fremont		Fremont	
Alviso		Alviso		Alviso	
Almaden		Almaden		Almaden	
Mipitas		Mipitas		Mipitas	
CONSTABLES.		CONSTABLES.		CONSTABLES.	
San Jose Township		San Jose Township		San Jose Township	
Santa Clara		Santa Clara		Santa Clara	
Burnett		Burnett		Burnett	
Redwood		Redwood		Redwood	
Gilroy		Gilroy		Gilroy	
Fremont		Fremont		Fremont	
Alviso		Alviso		Alviso	
Almaden		Almaden		Almaden	
Mipitas		Mipitas		Mipitas	

Notes, 1871-2-3.
Jan. 4, 1872—J. C. Hutchinson to be Constable, Redwood Township.
Jan. 15, 1872—Francis Dresser to be Justice of the Peace, Redwood Township.
Aug. 15, 1872—James Swinerton to be Justice of the Peace, Santa Clara Township, see Squires, resigned.
Oct. 4, 1872—G. M. Mason to be Justice of the Peace, Gilroy Township.
Feb. 5, 1873—J. R. Hall to be Constable, San Jose Township.
Notes, 1873-4-5.
Feb. 3, 1874—J. J. Sontheimer to be Justice of the Peace, Almaden Township.
Feb. 3, 1874—J. L. Although to be Constable, Redwood Township, vice Somerville, failed to qualify.
April 6, 1874—F. R. Smith to fill unexpired term of E. W. Harrison, as Public Administrator.
May 5, 1874—J. A. Shoemaker to be Constable, Santa Clara Township, vice Moslin, resigned.
Dec. 7, 1874—Wm. Page to be Justice of the Peace, Fremont Township, vice Chandler, resigned.
March 1, 1875—John Chisholm to be Constable, Redwood Township.

Table showing the County and Township Officers of Santa Clara from 1850 to 1881 Inclusive.—Continued.

June 7, 1875.—G. C. Jenkins to be Justice of the Peace, Santa Clara Township, vice Whison, resigned.	March 5, 1878.—Isalah Moyle to be Constable, Almaden Township, vice Paul, resigned.
<i>Notes, 1877-6-7.</i>	July 2, 1878.—J. L. Dowd to be Constable, Redwood Township, vice Bolton, resigned.
Nov. 1, 1875.—A. B. Singleton to be Constable, Santa Clara Township, vice Shoemaker, resigned.	July 15, 1878.—H. F. Dusing to be Justice of the Peace, Almaden Township, vice Taylor, resigned.
Jan. 6, 1876.—C. H. Clement to be Supt. of Schools, vice Kennedy, resigned.	Feb. 3, 1879.—J. E. Foster to be Justice of the Peace, Redwood Township.
Feb. 16, 1876.—A. McMahon to be County Physician.	<i>Notes, 1879-80.</i>
March 6, 1876.—L. K., and Anna Reasoner to be Supt. and Matron of County Infirmity.	Nov. 4, 1879.—J. W. Johnson to be Justice of the Peace, San Jose Township, vice Harnett, resigned.
March 7, 1876.—Wm. S. Taylor to be Justice of the Peace, Almaden Township, vice Lowe, resigned.	Dec. 8, 1879.—James Snow to Supervisor Dist. No. 2, vice Townsend, resigned.
April 6, 1876.—It. Anderson to be Constable, Burnett Township.	Feb. 9, 1880.—J. E. Cury to be County Physician.
July 3, 1877.—E. W. Briggs to be Constable, Fremont Township.	March 1, 1880.—E. E. Leppin to be Constable, Burnett Township.
<i>Notes, 1877-8-9.</i>	March 2, 1880.—T. S. Shaw to be Justice of the Peace, Almaden Township.
Sep. 11, 1877.—E. E. Burke to be Constable, Santa Clara Township, vice Singlet- on, resigned.	April 5, 1880.—W. M. Williamson to be Justice of the Peace, San Jose Township, vice Johnson, deceased.
Oct. 1, 1877.—J. Frost to be Constable, Burnett Township.	May 4, 1880.—Harry Wade to be Justice of the Peace, Alviso Township, vice Young, failed to qualify.
Nov. 3, 1877.—S. D. Bishop to be Constable, Redwood Township.	June 9, 1880.—J. E. Peters to be Constable, Redwood Township.
Jan. 8, 1878.—Martin Hobin to be Constable, Burnett Township, vice Anderson, resigned.	July 6, 1880.—It. Brown to be Constable, Fremont Township.
Feb. 4, 1878.—Dr. J. B. Cox to be County Physician.	By order of the Board of Supervisors made pursuant to act of Legislature of 1880, the number of Justices in each Township was reduced to one, except Redwood, Fremont and Almaden, which are allowed two. The number of Constables was reduced in same manner.
Feb. 5, 1878.—John E. Edson to be Constable, San Jose Township, vice De Lacy, resigned.	



BIOGRAPHY OF MARTIN MURPHY, JR.

THIS gentleman, one of California's earliest Territorial pioneers, whose portrait will be found the first in the History of Santa Clara County, was born in the year 1807, at Balnamough, County Wexford Ireland, and is descended from an ancient family whose genealogy is lost in the vague dawn of Hibernian tradition. His life from infancy to the attainment of man's estate was passed amid those historic scenes which have on one side, Oulercree, whose venerable towers overlook that lovely vale in which it so beautifully nestles, seemingly proudly conscious of having once been the home of Leinster's long line of kings while on the other is the poetic town of Enniscorth. Towering above the adjacent country stands Vinegar Hill, which has so many times witnessed those splendid displays of valor that have fired the Irish heart with the hope of Ireland's independence. April 9, 1828, Mr. Murphy, accompanied by his sister Mary (now Mrs. James Miller of Marin county), embarked to join his father in America, who had eight years before sold his farm and set out with the younger members of his family to build up a home in that inviting and more hospitable country. Passage was taken on board the *Thomas Farrell*, a packet that plied between Wexford and Quebec. Trouble soon commenced, however, for, when but three days out, stress of weather compelled them to seek refuge in Waterford harbor, where two weeks were compulsorily passed in recaulking and making good other defects. While in this port many of the passengers, fearful of facing the dangers of the deep, left the vessel and abandoned the voyage. In due time the good ship was once more ready for sea—the Blue Peter at the fore—the anchor was weighed and the voyage again undertaken, happily with success and in the remarkably short time—for steamers were then unknown—of twenty-eight days. Arriving in Quebec, Mr. Murphy allowed not the grass to grow beneath his feet—he went to work with a will; he employed his time like most others of those days and put “his shoulder to the wheel.” Then he met, courted, and married Mary Bulger, a lady who has through long years buoyed him through life and still shares the blessings that the world and a course of unerring rectitude have brought to them and their children in a yet green old age. We are proud to state that it has been our privilege to meet Mrs. Murphy—and a privilege it is for any one to hear her genial voice speak of events that occurred which to us to-day seem wrapt in the mist of the almost unknown

past. Mr. Murphy was wedded on the 18th of July, 1831, and with his wife remained in Quebec until the year 1832, when, cholera breaking out, he proceeded to and joined her father at Frampton, who had settled there twelve years before, where the subject of our sketch purchased two hundred acres of land and settled thereon. Undeterred by the vast natural obstacles, with a whip-saw Mr. Murphy cut the lumber from the felled monarchs of the forest brought down by his own hand, and with these primitive planks in the heart of this primeval region built a home—a roof-tree for his wife and self. In the meantime, the father of our subject had left for the then far West—what is now the densely-populated State of Missouri, but the gentleman, a narrative of whose life we write, remained until September, 1842, in which month the township of Frampton was thrown into a gloom of regret by the departure and leave-taking of Martin Murphy and his family, who had also determined to remove to Missouri. He left behind him his first two children in the little church-yard of St. Edward's. Time has noted among its many changes the disappearance of this little church where the devout of the parish flocked from far and near to receive the consolations of religion; to be strengthened in their holy faith with the refreshing words of the gospel. To those who look back over those bygone years, will, with softened remembrances of those Sunday gatherings in the wilds of Canada, learn with regret that the little graveyard and its vicinity is now overrun with thicket, wildbriar, and underbrush, concealing every evidence of a former civilization and destroying all the landmarks that affection had reared over dear and familiar friends who there sleep the long repose which awakens only with the dawn of eternity. The glowing accounts of friends in the United States of the milder condition of government induced Mr. Murphy to place himself and his family under the protection and benign influence of American institutions. As a matter of curiosity, the journey of this little band from Canada to Missouri undertaken nearly forty years ago may be of interest to those who to-day fly over the same distance linked to the iron horse of progress. From Quebec they steamed up the St. Lawrence to Montreal; thence across Lake St. Louis; from here once more on the bosom of the mighty river to Kingston; again across lake Ontario; up the Niagara river to Lewiston, just below the falls; from Lewiston to Buffalo; from Buffalo across Lake Erie to Cleveland, Ohio; then by canal to Portsmouth on the Ohio river; from here by steamer to Cincinnati; whence they proceeded to Louisville, Kentucky; thence down the Ohio to Cairo, and traveling on the Mississippi, the "father of waters" to St. Louis. From here they proceeded up the Missouri to the Platte Purchase, a few miles below the present flourishing City of St. Joseph, which in those frontier days was the site of a solitary mill where corn was ground for the settlers. Here our party landed and were conveyed in wagons to a place called "English

Grove," the name of a farm owned by an Englishman, around whose house stood like sentinel's a few tall trees, which in that timberless country assumed the dignity of a *grove*. Here Mr. Murphy purchased a farm of three hundred and twenty acres, devoted himself to the cultivation of corn and wheat, and intended to make Missouri his home for the remainder of his life. Happily for Santa Clara county and valley, such, however, was not his destiny. The ague, that terrible malarial affection so prevalent in newly-opened countries adjacent to the Mississippi and its tributaries, assailed the family and carried off Ann Elizabeth, his only daughter, born but six short months previously. About this time Martin Murphy, senior, who had a few years before "blazed" the way to this far-off, western frontier, lost his beloved wife—a victim to the same malignant fever. These circumstances, together with a lack of educational facilities and the remoteness from the saving influence of religion, suggested to Mr. Murphy's father the advisability, of moving to some more healthful climate, where his children might receive the advantages of education and be reared in the faith of their fathers. These views were strengthened by conversation with Father Hookins, a Catholic priest, whose medical skill had contributed to the relief of the suffering colony. He gave them glowing descriptions of California, into which country his labors among the Indians had called him. His graphic stories of its Catholic missions, the salubrity of its climate and the fertility of its soil decided them upon undertaking the dangerous journey of the pathless prairies, the unforded rivers of the trackless Sierras. Consequently after a residence of less than two years, Mr. Murphy told his family to prepare for the trip to California, and selling his farm at a great sacrifice started for the place of *rendezvous*, Council Bluffs, now an important city but then a mere Indian post. Here their co-voyagers were met, the party consisting of eleven wagons, twenty-six men, eight women, and about a dozen children. Let us give the names: Dr. John Townsend and wife; Martin Murphy, Sr.; Martin Murphy, wife and four sons—James, Martin S., Patrick W., Bernard D.; James Murphy, wife and one child—Mary F.; Bernard Murphy (unfortunately killed on board the *Jenny Lind* in 1853); Miss Ellen Murphy (the present Mrs. Weber of Stockton); John M. Murphy, Daniel Murphy, James Miller, wife and four children; Allen Montgomery and wife, Captain Stevens, Mr. Hitchcock, Mrs. Peterson and family, Mat Harbin, Moses Schallenberger, John Sullivan, his sister and two brothers, Robert and Mike; John Flomboy, Joseph Foster, Oliver and Francis Marguet, Mr. Mastin, Sr., Dennis Mastin, Pat Mastin, John and Brittain Greenwood, and old Mr. Greenwood. About May 1, 1843, these intrepid pioneers started from Council Bluffs to undertake the untried journey which lay before them, little thinking of its thousand dangers and vicissitudes, hardships enough to deter the bravest. They little knew when venturing toward that "undiscovered

country," that they were to be among the earliest argonauts of the greatest commonwealth in this great Union of Empire. In the language of the gifted niece of Mr. Murphy, whose genius has illumined the poetry of the Pacific shores and won bright chaplets of national renown :—

"Pioneers! name that like a conjurer
Summons all the past before our eyes;—
Toils, struggles, wants, and hardships,
Perils, dangers, sacrifice."

Pioneers! well may you say like Cæsar, "I came, I saw, I conquered!" Yes, more; you can say that you remained, and by your industry built up a commonwealth freer and more enduring than the empire of Rome itself. The pioneers of America, fleeing from an unrelenting persecution, braved the dangers of the ocean in the hope of finding beyond a haven of repose and safety, were not surrounded by such a multiplicity of dangers nor subjected to so many terrors as the early pioneers of California were compelled to confront in their journey through the untraversed wild of the Great West. The long and uncertain march on the plains, attendant with its ills, its natural inconveniences and possible starvation, was enough to deter ordinary individuals from so hazardous an undertaking. These dangers, however, were trifling when compared to the tortures which the savage might inflict, or, the actual and intense suffering from cold, when snow-bound and shelterless in the mountains during the rigorous inclemency of a severe Winter. Let us picture a band of pioneers, houseless and scantily clad, overtaken in the mountains by one of those fearful storms which drives the wild animal to his lair in terror, and that to-day even impedes the progress of overland trains despite the scientific precaution of snow-sheds, and snow-plows, then we will have a faint idea of the labors and sufferings to which our pioneers were subjected in early days. Some of these noble souls may be prostrate with sickness, burning with fever or shaking with ague, yet there is no skillful hand to administer relief. Mayhap their supplies are exhausted, and possibly the grim, ghastly spectre of starvation is reigning in their midst. Ah! many a pioneer can trace his backward course by the mounds of long-neglected graves which mark the way. Fitly indeed should California enshrine the memory of her honored pioneers. Gallant men, long will your names be remembered, for California herself will remain the sublime monument of your creation; yes, as long as her seal-covered cliffs shall continue to dash back the waters of the mighty Pacific. The Missouri river was crossed at Traders' Point, near Bellevue. Thence the present line of the Central Pacific railroad was followed, and the Elkhorn river crossed in boats improvised from wagon-beds covered with rawhides to make them water-tight. Thence their course was directed to Pawnee, Loupe, or Wolf river; then on line of the present railroad along the Platte river to the North Fork of the Platte.

Thence up the North Fork of the Platte to the Chimney Rock and Scott's Bluffs; then along the north side of the Platte toward Laramie; thence to Independence Rock on the Sweetwater. At this point the caravan halted for a few days to await a reinforcement, which arrived there in the person of Miss Ellen Independence Miller, whose fascinating manners have since formed no little attraction to the guests of her father's hospitable and handsome home at San Rafael. The Sweetwater river was followed up through South Pass in Nebraska to the summit of the Rocky Mountains. The Little Big Sandy river was crossed to Green river, to what is known as "Sublette's Cut-off," in Wyoming Territory. At this point the weary travelers were surprised by a party of Indians, whose demonstrations were probably made more with the intention of striking the pale-faces with terror at their strength and formidableness than to commit any hostile act. The band of braves after having surrounded the party, and having gone through the most approved maneuvers of Indian tactics, as laid down by some dusky Upton of that day, came forward and were friendly. Some of them were so friendly, that whenever an opportunity offered itself, they did not fail to furtively appropriate any trifling souvenir which they could conceal about their persons. The journey was continued from here to Bear river, and down Bear river to Soda springs, Idaho; thence to Old Fort Hall, on Snake river, Washington Territory; down Snake river to Goose creek; up Goose creek to about the City of Rocks; thence to Thousand Spring valley; to the head of the Humboldt, then known as St. Mary's river; up to its "sink;" thence to Steamboat springs; to the Truckee; up this river to what is now known as the town of Truckee. Truckee now is one of the most flourishing lumber centers west of the Rocky mountains. From this point the party passed on to what is now known as Donner lake, but then christened by the Murphy party, Truckee lake, in acknowledgment of valuable aid rendered by their Indian guide. Here, tarrying a few days, they erected a log cabin, which Mr. Murphy only saw again when two years later he proceeded to the spot to relieve the ill-fated Donner party. From this point Mr. Murphy crossed the summit of the Sierra Nevada to the Yuba river, where they pitched their tents; and the able-bodied men, after getting their cattle from the snow-clad heights, proceeded in quest of some settlement whence a fraternal hand and brotherly assistance might be obtained. On this voyage of discovery they first saw the hospitable haven of Fort Helvetia, so familiar in our mouth as Sutter Fort. Here they learned the intelligence of hostilities between Micheltorena and Pio Pico, and being pressed into the service of the government were marched to Soledad (now in Monterey county), where our subject with his comrades, on explanation, received permission to return to his anxious family and friends, who, during their absence, had been deprived of manly aid, and were almost destitute of the proper means

of subsistence. On their return to Sutter's Fort they provided themselves with provisions, and started to rejoin their families. They had not proceeded more than half way when they were met by James Miller, who told them of want suffered in the camp, an intimation which put action into their hearts, and urged them on to the relief of their well-tried companions. On their return welcome joy was pictured on every face, justice was done to fresh provisions, and for a few days well-earned rest was won. Here, from December until March, 1844, were the party encamped; and while at this place the first child of white parents born in California saw the light. This was a daughter to Mr. and Mrs. Martin Murphy, a young lady who received the name of Elizabeth, and afterwards became Mrs. William P. Taffe. About the latter part of the month of March the camp was broken up, and following the Yuba river down in a southerly direction, and striking the head-waters of Bear river, and crossing the "Deep Hollow" near Johnston's ranch, situated close to the foot-hills in the Sacramento valley; thence to Sutter's Fort, where they met Bidwell and company. The many incidents of this trip would make an interesting volume. At Pawnee Loupe the Pawnees and Sioux were at war, but neither tribe molested the travelers. The fact that so small a party crossed through so great a stretch of Indian country unguarded by any escort, is a good guarantee of their sagacity and justice in their treatment of the savages. At Truckee, or Winnemucca, the party divided; Daniel, John, and Miss Ellen Murphy (now Mrs. Weber, of Stockton), Mrs. Townsend, Oliver Magnan and his brother, branched off and went down to lake Tahoe. Daniel Murphy was the first white man to gaze on the placid bosom of that beautiful lake. Between the Platte river and Fort Laramie there was a large tribe of bad Indians, but the party was always fortunate in having no trouble, because they always treated the Indians kindly, and consequently were allowed to pass undisturbed. The saddest incident of the trip occurred near Fort Hall, where a young man, who was traveling with the party, died. He was with a gentleman named Shaw, who was driving a lot of sheep to Oregon. The young man was buried on the lonely plain, and his coffin was made from boards contributed by the different parties from their wagon-beds. Mr. Shaw continued with the party as far as the sink of the Humboldt, when he branched off to Oregon. His are the first sheep recorded to have crossed the plains. When the party arrived at the sink of the Humboldt, an Indian, named Truckee, advised them to follow the river, which they did. In gratitude to him for his services they named the river after him, and also gave his name to a lake. This was the Indian who guided them into California.

Thus far have we followed Mr. Murphy's footsteps across the then truly "boundless prairies, over the snow-clad peaks of the Sierras, and into the fertile slopes of the California valleys. His wagons were the first to make

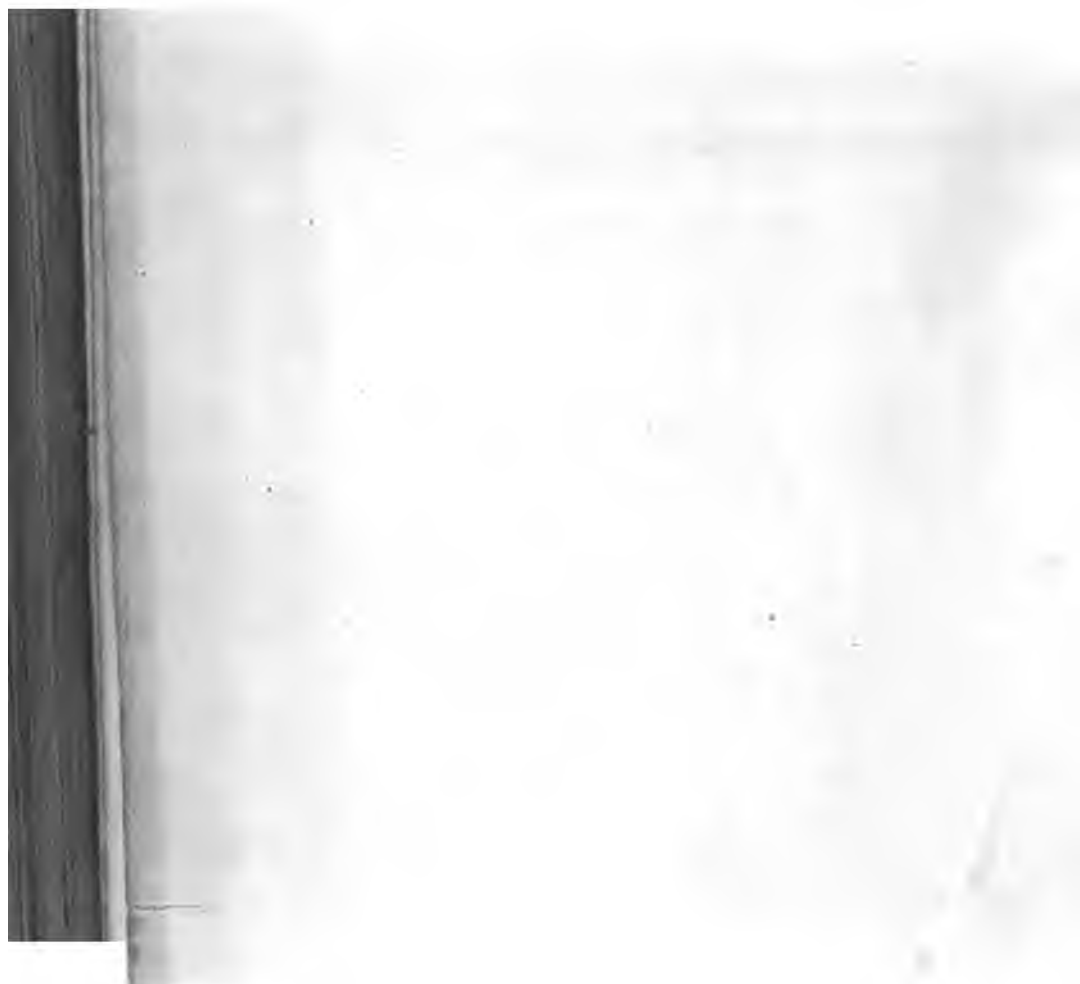
a mark on these unknown wastes, his cattle were the first to be driven over the trackless sea of virgin country, to him be the credit then of having been able to find himself ready to equip a farm and make a settlement. He early purchased a property on the American Fork, from a man named Rufus, comprising two leagues, and there dwelt until 1850, when he disposed of it and removed to Santa Clara valley, when he purchased the homestead on which he now resides. It is no small pride to us to be able to give so full and complete a narrative of Mr. Murphy's career, for it is not often that we have it in our power to follow the movements from boyhood to maturity of one so worthy—of such a true pioneer. Martin Murphy is to-day what he has always been, a man true to himself, true to nature, and true to God. We leave him and his most worthy spouse with the simple, yet heart-felt expression, that they may both be spared long years of health, peace, and happiness.

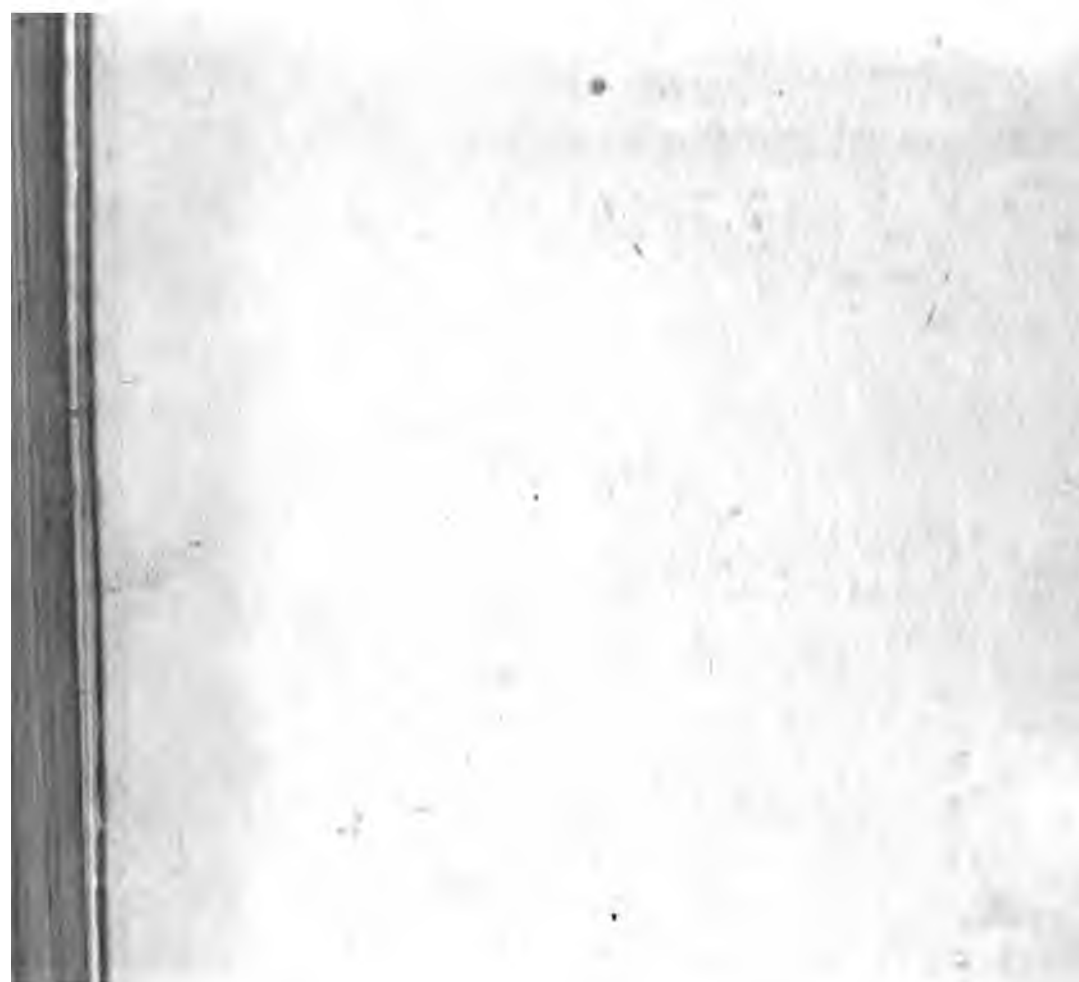
The golden anniversary of their wedding was celebrated on the 18th of July, 1881, with all the *éclat* that wealth could throw around it, and the thousands of friends who paid their respects on that day loudly demonstrated the high estimation in which Martin Murphy and his family is held by the people of California, who look upon him who first broke a wagon trail across the Sierras as the *avant courier* of a higher civilization. Mr. Murphy desired to see his friends on this occasion, but utterly refused to discriminate by issuing invitations. He wanted to take no chance of overlooking any of them. His friends are so numerous and so widely scattered over the State, that it would be hardly possible that some would not be overlooked, unless a general invitation was extended. Consequently arrangements to that effect were made. A dancing pavilion one hundred feet square was laid down; hundreds of feet of tables were built, with sitting capacity for a thousand, and immense wine cellars were improvised and crammed with the choicest vintage of foreign lands. His vast herds and flocks were held subject to the order of the butchers, and San José and San Francisco were placed under contribution for all the delicacies they could furnish, and taken all in all, the festival was the largest private affair and the viands distributed with a more princely prodigality than at any similar *fête* in this or any other State, and could compare only with those holiday occasions when the regal Elizabeth used to go down with her courtly retinue to *fête* the country people at Woodstock and be for a few days the royal guest of the lordly Leicester. Mr. and Mrs. Murphy's family consist of: Patrick W. (twice Senator, once Assemblyman, and at present General of the Tenth Division of the National Guard of California—a resident of San Luis Obispo county); Bernard D. (the present Mayor of San José, and who has represented Santa Clara county in both houses of the State Legislature); Mary Ann (now Mrs. Richard T. Carroll, of San Francisco); Ellen G. (now Mrs. J. R. Arques, of Santa Clara county); James T. (now a prominent grain merchant of San

José, and one of the first Bank Commissioners for the State of California. In concluding this biography, as well as the history of Santa Clara county, we would observe that if there is any special honor due to our pioneers, the fame indisputably belongs to *Martin Murphy, Senior, and his family*. Truly we say, *Palmarum qui meruit ferat*. Honor to whom honor is due, and thus we fittingly close our labors, thankful that we have been placed in a position to put on record a fact which though patent to all is yet, however, sometimes unremembered.









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